

FORTY-THIRD DAY.

Senate Chamber,
Austin, Texas, March 13, 1919.

The Senate met at 5:45 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

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| Alderdice. | Floyd. |
| Bailey. | Gibson. |
| Bell. | Hertzberg. |
| Buchanan of Bell. | Hopkins. |
| Buchanan of Scurry. | Johnston. |
| Caldwell. | Page. |
| Carlock. | Parr. |
| Clark. | Rector. |
| Cousins. | Smith. |
| Dayton. | Strickland. |
| Dean. | Suiter. |
| Dorough. | Williford. |
| Dudley. | Witt. |
| Faust. | Woods. |

Absent.

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| Hall. | Westbrook. |
| McNealus. | |

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Petitions and Memorials.

See Appendix.

Standing Committee Reports.

See Appendix.

Bills and Resolutions.

By Senator Witt:

S. B. No. 399, A bill to be entitled "An Act providing that any judge advocate or acting judge advocate, the president of a general or special court martial, any summary court martial, the judge advocate or any assistant judge advocate of a general or special court martial, the president or the recorder of a court of inquiry or of a military board, any officer designated to take a deposition, any officer detailed to conduct an investigation, and the adjutant or any command shall have power to administer oaths for the purposes of

the administration of military justice and for other purposes of military administration and in foreign places where the army may be serving shall have the general powers of a notary public or of a consul of the United States in the administration of oaths, the execution and acknowledgment of legal instruments, the attestation of documents, and all other forms of notarial acts to be executed by persons subject to military law, and creating an emergency."

Read first time, and referred to the Committee on Military Affairs.

By Senator Suiter:

S. B. No. 400, A bill to be entitled "An Act to create the Van Independent School District in Van Zandt County Texas; defining its boundaries; providing for a board of trustees in said independent school district; conferring upon said district and its board of trustees the rights, powers, privileges and duties now conferred and imposed by the General Laws of the State upon independent school districts and boards of trustees thereof; providing for the election of trustees, for the raising of revenues, issuing of bonds, building and maintaining of school houses, maintaining public free schools; providing for the assumption by the Van Independent School District as herein defined by the bonded indebtedness of the existing Van Common School District No. 53 in Van Zandt County, and validating those obligations, declaring those obligations, declaring valid the local maintenance tax and the bond tax heretofore voted and bonds issued by said district, and declaring an emergency."

Read first time, and referred to the Committee on Educational Affairs.

By Senator Page:

S. B. No. 401, A bill to be entitled "An Act providing that there be, and there is hereby, appropriated out of the funds of the State Treasury not otherwise appropriated the sum of \$35,000, or so much thereof as may be necessary, for the fiscal year ending the 31st day of August, 1919, with which to pay the expenses of the employment department of the State Council of Defense; providing

the manner of payment of same, and declaring an emergency."

Read first time, and referred to the Committee on Finance.

House Bill No. 208.

The Chair laid before the Senate on third reading:

H. B. No. 208, A bill to be entitled "An Act to validate all sales of public free school land made by the State of Texas, by authority of the Acts of the Legislature of date April 12 and 14, 1883, wherein the State did not by its award of sale or classification of such lands specifically reserve the minerals in such lands, be and the same are hereby validated, and the State of Texas hereby relinquishes unto the owners of said lands all of the right and title to said lands and minerals, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed finally.

House Bill No. 232.

The Chair laid before the Senate on third reading:

H. B. No. 232, A bill to be entitled "An Act to amend Article 762, Title 22, Chapter 1, Revised Civil Statutes of the State of Texas, 1911, relating to the incorporation of cities, towns and villages with a population of 600 or more inhabitants, and providing that cities, towns and villages with any number of inhabitants having any manufacturing establishments within the corporate limits, and which may be subject to the provisions of the Act known as 'Chapter 23 of the Acts of the Regular Session of the Thirty-fourth Legislature, page 38,' which was approved by the Governor on February 25, 1915, or any amendment thereto, may become incorporated as a city or town and accept the provisions of Title 22, relating to cities and towns, in lieu of any existing charter, and prescribing the manner of so doing, and further providing that when such city, town or village is so incorporated the same shall be known as a city or town, subject to the provisions of Title 22 of the Revised Civil Statutes of the State of Texas, 1911, relating to

cities and towns, and vested with all the rights, powers, privileges, immunities and franchises therein conferred."

The bill was laid before the Senate, read third time and, on motion of Senator Carlock, was passed by the following vote:

Yeas—27.

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| Alderdice. | Gibson. |
| Bailey. | Hertzberg. |
| Bell. | Hopkins. |
| Buchanan of Bell. | Johnston. |
| Buchanan of Scurry. | Page. |
| Caldwell. | Parr. |
| Carlock. | Rector. |
| Clark. | Smith. |
| Dayton. | Strickland. |
| Dean. | Snider. |
| Dorough. | Williford. |
| Dudley. | Witt. |
| Faust. | Woods. |
| Floyd. | |

Absent.

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| Cousins. | McNair. |
| Hall. | Westbrook. |

House Bill No. 365.

The Chair laid before the Senate on third reading:

H. B. No. 365, A bill to be entitled "An Act to amend Article 5437, Title 79, Chapter 9, of the Revised Civil Statutes of Texas of 1911, and providing that any part of a tract of land heretofore or hereafter sold by the State may, in the discretion of the Commissioner of the General Land Office, and regardless of the number of acres contained therein, be patented at any time upon the payment of the balance due the State for such part, together with the patent fees prescribed by law, and to repeal all laws in conflict herewith."

The bill was laid before the Senate, read third time and, on motion of Senator Dudley, was passed finally.

House Bill No. 551.

The Chair laid before the Senate on third reading:

H. B. No. 551, A bill to be entitled "An Act creating and incorporating the Canadian Independent School District in Hemphill County, and defining the boundaries thereof; providing for a board of trustees and the election thereof, and defining their qualifications, powers, duties and authority, and defining their limitations."

The bill was laid before the Senate, read third time and, on motion of Senator Bell, was passed finally.

House Bill No. 601.

The Chair laid before the Senate on third reading:

H. B. No. 601, A bill to be entitled "An Act creating Ray Common School District No. 27 in Goliad County, Texas; providing a board of trustees therefor, providing that said common school district and the board of trustees thereof shall have and enjoy all the rights, powers, privileges and duties imposed and conferred by the general statutes upon common school districts in this State."

The bill was laid before the Senate, read third time and, on motion of Senator Bailey, was passed finally.

House Bill No. 602.

The Chair laid before the Senate on third reading:

H. B. No. 602, A bill to be entitled "An Act to amend Chapter 8, Acts of the Fourth Called Session of the Thirty-fifth Legislature, creating the Burkeville Independent School District in Newton County, Texas; defining its boundaries and making a permanent site, and providing for the election of a board of trustees."

The bill was laid before the Senate, read third time and, on motion of Senator Cousins, was passed finally.

House Bill No. 562.

The Chair laid before the Senate on third reading:

H. B. No. 562, A bill to be entitled "An Act to amend Sections 2, 6, 7, 10, 12, 13, 14, of Chapter 47, Acts Thirty-fourth Legislature, passed at its Regular Session, being 'An Act to

create a more efficient road system for Mills County."

The bill was laid before the Senate, read third time and, on motion of Senator Caldwell, was passed finally.

House Bill No. 560.

The Chair laid before the Senate on third reading:

H. B. No. 560, A bill to be entitled "An Act amending House Bill No. 647, passed by the Regular Session of the Thirty-third Legislature of the State of Texas, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Carlock, was passed finally.

House Bill No. 606.

The Chair laid before the Senate on third reading:

H. B. No. 606, A bill to be entitled "An Act creating the Pflugerville Independent School District in Travis and Williamson counties, Texas."

Senator Caldwell offered the following amendment which was read and adopted:

Amend H. B. No. 606 by striking out Section 4 and insert in lieu thereof the following:

Section 4. The inadequate school accommodations within the territory herein above described, the crowded condition of the calendar and the near approach of the end of the session create an emergency and an imperative public necessity demanding the suspension of the constitutional rule requiring bills to be read on 3 several days in each house and it is so suspended and that this Act be in force and effect from and after its passage and it is so enacted.

The bill was laid before the Senate, read third time and, on motion of Senator Caldwell, was passed by the following vote:

Yeas—27.

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|---------------------|------------|
| Alderdice. | Dayton. |
| Bailey. | Dean. |
| Bell. | Dorough. |
| Buchanan of Bell. | Dudley. |
| Buchanan of Scurry. | Faust. |
| Caldwell. | Floyd. |
| Carlock. | Gibson. |
| Clark. | Hertzberg. |

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| Hopkins. | Strickland. |
| Johnston. | Suiter. |
| Page. | Williford. |
| Parr. | Witt. |
| Rector. | Woods. |
| Smith. | |

Absent.

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| Cousins. | McNealus. |
| Hall. | Westbrook. |

House Bill No. 534.

The Chair laid before the Senate on third reading:

H. B. No. 534, A bill to be entitled "An Act creating Pharr-San Juan Independent School District in Hidalgo county."

The bill was laid before the Senate, read third time and, on motion of Senator Parr, was passed by the following vote:

Yeas—27.

| | |
|---------------------|-------------|
| Alderdice. | Gibson. |
| Bailey. | Hertzberg. |
| Bell. | Hopkins. |
| Buchanan of Bell. | Johnston. |
| Buchanan of Scurry. | Page. |
| Caldwell. | Parr. |
| Carlock. | Rector. |
| Clark. | Smith. |
| Dayton. | Strickland. |
| Dean. | Suiter. |
| Dorough. | Williford. |
| Dudley. | Witt. |
| Faust. | Woods. |
| Floyd. | |

Absent.

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| Cousins. | McNealus. |
| Hall. | Westbrook. |

House Bill No. 613.

The Chair laid before the Senate on third reading:

H. B. No. 613, A bill to be entitled "An Act creating the South Elm Common School District No. 58 of Milam county, Texas; providing a board of trustees therefor; providing that said common school district and the board of trustees thereof shall have and enjoy all the rights, powers, privileges and duties imposed and conferred by the general statutes of Texas upon common school districts in this State, and declaring an emergency."

The bill was laid before the Sen-

ate, read third time and, on motion of Senator Witt, was passed by the following vote:

Yeas—27.

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|---------------------|-------------|
| Alderdice. | Floyd. |
| Bailey. | Gibson. |
| Bell. | Hertzberg. |
| Buchanan of Bell. | Hopkins. |
| Buchanan of Scurry. | Johnston. |
| Caldwell. | Parr. |
| Carlock. | Rector. |
| Clark. | Smith. |
| Cousins. | Strickland. |
| Dayton. | Suiter. |
| Dean. | Williford. |
| Dorough. | Witt. |
| Dudley. | Woods. |
| Faust. | |

Absent.

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| Hall. | Page. |
| McNealus. | Westbrook. |

House Bill No. 600.

The Chair laid before the Senate on third reading:

H. B. No. 600, A bill to be entitled "An Act to create a more efficient road system for Erath county, in this State and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners."

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed by the following vote:

Yeas—26.

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| Alderdice. | Faust. |
| Bailey. | Floyd. |
| Bell. | Hertzberg. |
| Buchanan of Bell. | Hopkins. |
| Buchanan of Scurry. | Johnston. |
| Caldwell. | Page. |
| Carlock. | Parr. |
| Clark. | Rector. |
| Cousins. | Smith. |
| Dayton. | Suiter. |
| Dean. | Williford. |
| Dorough. | Witt. |
| Dudley. | Woods. |

Absent.

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| Gibson. | Strickland. |
| Hall. | Westbrook. |
| McNealus. | |

House Bill No. 589.

The Chair laid before the Senate on third reading:

H. B. No. 589, A bill to be entitled "An Act amending Chapter 45, House Bill No. 531, of the Special Laws of Texas, enacted by the Thirty-fourth Legislature, the same being 'An Act creating a special road law for Camp county, Texas, authorizing the commissioners court to subdivide the county into convenient road precincts, etc.'"

On motion of Senator Suiter the bill was laid on the table subject to call.

House Bill No. 604.

The Chair laid before the Senate on third reading:

H. B. No. 604, A bill to be entitled "An Act creating, establishing and incorporating the Donna Independent School District in Hidalgo county, Texas."

The bill was laid before the Senate, read third time and, on motion of Senator Parr, was passed by the following vote:

Yeas—27.

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| Alderdice. | Floyd. |
| Bailey. | Hertzberg. |
| Bell. | Hopkins. |
| Buchanan of Bell. | Johnston. |
| Buchanan of Scurry. | Page. |
| Caldwell. | Parr. |
| Carlock. | Rector. |
| Clark. | Smith. |
| Cousins. | Strickland. |
| Dayton. | Suiter. |
| Dean. | Williford. |
| Dorough. | Witt. |
| Dudley. | Woods. |
| Faust. | |

Absent.

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| Gibson. | McNealus. |
| Hall. | Westbrook. |

House Bill No. 525.

The Chair laid before the Senate on third reading:

H. B. No. 525, A bill to be entitled "An Act creating the Tynan Independent School District in Bee, San Patricio and Live Oak counties Texas, and providing for the election of a board of trustees to man-

age and control the public free schools within said district, naming the fiscal year as to taxes, investing said district with all the powers, rights and duties of independent school districts formed for free school purposes only, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Parr, was passed finally.

House Bill No. 577.

The Chair laid before the Senate on third reading:

H. B. No. 577, A bill to be entitled "An Act to validate sales of public free school land sold on September 25, 1895, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed by the following vote:

Yeas—27.

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|---------------------|-------------|
| Alderdice. | Gibson. |
| Bell. | Hertzberg. |
| Buchanan of Bell. | Hopkins. |
| Buchanan of Scurry. | Johnston. |
| Caldwell. | Page. |
| Carlock. | Parr. |
| Clark. | Rector. |
| Cousins. | Smith. |
| Dayton. | Strickland. |
| Dean. | Suiter. |
| Dorough. | Williford. |
| Dudley. | Witt. |
| Faust. | Woods. |
| Floyd. | |

Present—Not Voting.

Bailey.

Absent.

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| Hall. | Westbrook. |
| McNealus. | |

House Bill No. 6.

The Chair laid before the Senate on second reading:

H. B. No. 6, A bill to be entitled "An Act granting to the city of Corpus Christi, Texas, all rights, title and interest of the state of Texas to certain land lying and being situated under the waters of Corpus Christi Bay and granting to said city of Corpus Christi the right, power and au-

thority to locate, construct, own and maintain certain seawalls or breakwaters on said lands and to fill in the space between the mainland and said seawall or breakwaters with sand."

Senator Caldwell offered the following amendment which was read and adopted:

Amend committee report to H. B. No. 6 by adding thereto the following words: "with following committee amendments."

The committee report that the bill be printed in the Journal only and with amendments was amended and adopted.

On motion of Senator Caldwell the bill was laid on the table subject to call.

Recess.

At 6:15 o'clock p. m., the Senate, on motion of Senator Clark, recessed until 10 o'clock tomorrow.

After Recess.

(Friday, March 14, 1919.)

The Senate was called to order at 10 o'clock a. m. by Lieutenant-Governor Johnson.

ing for a board of trustees of said Harrisburg Independent School District providing the time and manner of their election, defining their powers and duties, and declaring an emergency."

S. C. R. No. 33, Providing for joint committee to investigate conditions at State Orphan's Home.

Committee Appointment.

Pursuant to the provisions of Senate Concurrent Resolution No. 33, relating to State Orphans' Home, I hereby appoint as a committee from the Senate, Senators J. M. Alderdice and R. L. Williford on the part of the Senate, to conduct such investigation as may seem proper to them to carry into effect the provisions of said resolution.

W. A. JOHNSON,
Lieutenant-Governor of Texas.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted H. C. R. No. 44—providing for sine die adjournment.

House has concurred in Senate amendments to H. B. No. 208.

Respectfully submitted,
T. B. REESE,
Chief Clerk, House of Representatives.

House Concurrent Resolution No. 44.

Resolved, By the House of Representatives, the Senate concurring, that the Regular Session of the Thirty-sixth Legislature stand adjourned sine die on Wednesday, March the 19th, 1919, at 6 o'clock p. m.

Tillotson, Davidson, Fly, Miller of Dallas, Parnell.

Senator Carlock moved the adoption of the resolution. The motion prevailed.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that

The House grants the request of the Senate for a Conference Committee on Senate Bill No. 35 and the following have been appointed to act on the part of the House:

Messrs. Nordhaus, Kittrell, Bagby, Miller of Dallas and Fairchild.

The House grants the request of the Senate for a Conference Committee on Senate Bill No. 34, and the following have been appointed to act on the part of the House:

Messrs. Bonham, Curtis, Cox, John Davis, Williams of McLennan.

The House has appointed the following committees:

To investigate Orphan's Home: McMillin, Stephens, Teer.

To audit Comptroller's and Treasurer's office: Wiginton, Briggs, Smith of Hopkins.

Respectfully submitted,
T. B. REESE,
Chief Clerk, House of Representatives.

Bills Signed.

The Chair, Lieutenant Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 312, A bill to be entitled "An Act to amend Article 7490 and Article 7497 of the Revised Civil Statutes of the State of Texas, of 1911, and Article 7491 of the Revised Civil Statutes of the State of Texas, 1911, as amended by Chapter 166 of the Acts of the Regular Session of the Thirty-fifth Legislature so as to further provide for the collection of inheritance taxes, the making of reports concerning estates subject to taxation, the fixing of penalties, prescribing duties and fixing compensation of District and County Attorneys and County Judges and declaring an emergency."

S. B. No. 394, A bill to be entitled "An Act incorporating and creating the Marathon Independent School District of Brewster county, Texas, for free school purposes only, defining its boundaries and providing for the election of a board of trustees for the raising of revenue by taxation; issuing bonds for raising money for building purposes; and for maintaining public free schools therein, vesting the property of the Marathon school district in said Marathon Independent School District; and vesting said district and the board of trustees with all the right, powers, privileges and duties conferred and imposed by general laws upon independent school districts and upon the board of trustees thereof, and which apply to a city or town incorporated for free school purposes only, under the general laws; and declaring an emergency."

S. B. No. 64, A bill to be entitled "An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including the fixing of a minimum wage; providing for an appropriation therefor, and fixing penalties for violating this Act, and declaring an emergency."

S. B. No. 390, A bill to be entitled "An Act creating Maribelle Independent School District in Grayson county, Texas; naming same; prescribing its metes and bounds; and providing for the election of trustees,

raising revenue by taxation, issuing bonds and maintaining public free schools therein; and providing for assessing and collecting taxes therein; and vesting all real and other property used for school purposes in said district in said independent district; and declaring an emergency."

S. B. No. 161, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the Live Stock Sanitary Commission for the fiscal year ending August 31, 1919, and declaring an emergency."

S. B. No. 81, A bill to be entitled "An Act to amend Article 5663 and add Articles 5663a, 5663b and 5663c, Title 86, Chapter 8, of the Revised Civil Statutes of Texas, 1911, relating to fixing a special lien in favor of hotels inns and boarding houses and providing a remedy for the enforcing of said lien by advertising and selling the baggage and other property of the guests of such hotel, inn or boarding house, providing for the disposition of the proceeds of said sale, defining liability of hotels for baggage deposited, defining the term hotel and inn, and declaring an emergency."

S. B. No. 144, A bill to be entitled "An Act providing that writing a will and signing the name of any person thereto without the consent shall be unlawful, de-
rough. Williford.
deley. Witt.
ust. Woods.
byd.

Present—Not Voting.

Absent.

ing for the election of trustees therefor and authorizing the board of trustees to levy, assess and collect special taxes, conferring upon the board of trustees plenary powers, providing authority to issue bonds for the purpose of purchasing school building, sites and erecting, furnishing and equipping school buildings within the said district, to levy taxes therefor and to pay current expenses for the support and maintenance of said schools, providing for a board of equalization and prescribing the duty and authority of said board, and further prescribing the

duty and authority of said board of trustees, declaring valid an issue of bonds heretofore made, declaring valid a maintenance tax heretofore levied, and declaring an emergency."

S. B. No. 339, A bill to be entitled "An Act changing and fixing the times of holding the courts in the Twelfth Judicial District of Texas, and declaring an emergency."

S. B. No. 381, A bill to be entitled "An Act to permit the Artesian Belt Railroad and the receiver thereof to take up and remove its railroad construction, heretofore made, from a connection with the Galveston, Harrisburg & San Antonio Railway Company, in the town of Macdona to the town of Kirk, a distance of approximately three and one-tenth miles, in a southeasterly direction all in Bexar county; and to sell and dispose of same and abandon the same; and declaring an emergency."

H. B. No. 277, A bill to be entitled "An Act creating and incorporating Harrisburg Independent School District in Harris county, Texas, out of the territory now composing Common School District No. 20, of said county, providing that the title of the school property vested in said Common School District No. 20 shall vest in said Harrisburg Independent District and that said independent school district assume the debts of said Common School District No. 20; providing for a board of trustees of said Harrisburg Independent School District providing the time and manner of their election, defining their powers and duties, and declaring an emergency."

S. C. R. No. 33, Providing for joint committee to investigate conditions at State Orphan's Home.

House Bill No. 257.

The Chair laid before the Senate as pending business on second reading:

H. B. No. 257, A bill to be entitled "An Act to amend Article 7383 of the Revised Civil Statutes of the State of Texas, of 1911, requiring each and every individual, company, corporation or association, whether incorporated under the laws of this, or any other state or territory of the United States or of any foreign country, which owns, controls, manages

or leases any oil well within this State to make quarterly on the first days of January, April, July and October of each year a report to the Comptroller of Public Accounts, under oath of the individual or of the president, treasurer or superintendent of such company, corporation or association, showing the total amount of oil produced during the quarter next preceding and the average market value thereof during said quarter. And providing that said individuals, companies, corporations and associations at the time of making said report, shall pay to the Treasurer of the State of Texas an occupation tax for the quarter beginning on said date, equal to two (2) per cent of the total amount of all oil produced at the average market value thereof as shown by said report, and declaring an emergency."

The question being upon the adoption of the minority committee report carrying amendments.

Senator Carlock moved the previous question on the adoption of the minority report and this being duly seconded was accordingly ordered.

The minority report was adopted by the following vote:

Yeas—14.

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| Alderdice. | Faust. |
| Bailey. | Gibson. |
| Buchanan of Bell. | Hall. |
| Buchanan of Scurry. | Parr. |
| Caldwell. | Rector. |
| Cousins. | Westbrook. |
| Dorough. | Woods. |

Nays—11.

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| Clark. | McNealus. |
| Dayton. | Page. |
| Dean. | Strickland. |
| Floyd. | Suiter. |
| Hertzberg. | Williford. |
| Hopkins. | |

Present—Not Voting.

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| Johnston. | Witt. |
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Pairs Recorded.

Senator Bell (present), who would vote aye; Senator Smith (absent), who would vote nay.

Senator Carlock (present), who would vote aye; Senator Dudley (absent), who would vote nay.

H. B. No. 257 pending.

Recess.

At 12:15 o'clock p. m. the Senate, on motion of Senator Clark, recessed until 2:30 o'clock today.

After Recess.

(Afternoon Session.)

The Senate was called to order by the Lieutenant Governor.

Senate Bill No. 391—House Amendment Concurred In.

Senator McNealus called up for consideration of House amendments to:

S. B. No. 391, local road law for Rockwall County.

The following House amendment was read:

Amend Senate Bill No. 391, Section 1, by adding after the last word in the section the following: "Provided, however, the Commissioners' Court may, if they deem it necessary to the ends of justice and interest to Rockwall County, by two-thirds vote of the court and advisors sitting, select a county engineer who is not a graduate, but who has had actual experience in road building and who is practical and well qualified for the position, and has a certificate from the Highway Department of the State of Texas; the cost of all salaries and engineering expenses shall be paid out of the proceeds of the bonds."

On motion of Senator McNealus, the amendment was concurred in by the following vote:

Yeas—28.

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| Alderdice. | Hertzberg. |
| Bailey. | Hopkins. |
| Buchanan of Bell. | Johnston. |
| Buchanan of Scurry. | McNealus. |
| Caldwell. | Page. |
| Carlock. | Parr. |
| Clark. | Rector. |
| Cousins. | Smith. |
| Dayton. | Strickland. |
| Dean. | Suiter. |
| Dorough. | Westbrook. |
| Faust. | Williford. |
| Floyd. | Witt. |
| Hall. | Woods. |

Absent.

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| Bell. | Gibson. |
| Dudley. | |

House Bill No. 257.

Action recurred upon H. B. No. 257, levying a gross receipts tax upon oil production.

The question being upon the passage of the bill to third reading.

Senator Carlock offered the following amendment, which was read and adopted:

(1) Amend House Bill No. 257, printed copy, in the latter part of Section 1, Article 7383, after the phrase, "an occupation tax for the quarter beginning on said date equal to 2 per cent of the total amount of oil produced in this State," by inserting the following words, "by said individuals, companies, corporations or associations, respectively."

CARLOCK.
DEAN.

The bill was read second time, and passed to its third reading.

On motion of Senator Dean the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 257 put on its third reading and final passage by the following vote:

Yeas—28.

| | |
|---------------------|-------------|
| Alderdice. | Gibson. |
| Bailey. | Hall. |
| Bell. | Hertzberg. |
| Buchanan of Bell. | Hopkins. |
| Buchanan of Scurry. | Johnston. |
| Caldwell. | McNealus. |
| Carlock. | Page. |
| Clark. | Parr. |
| Cousins. | Rector. |
| Dayton. | Strickland. |
| Dean. | Suiter. |
| Dorough. | Williford. |
| Faust. | Witt. |
| Floyd. | Woods. |

Absent.

| | |
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| Dudley. | Westbrook. |
| Smith. | |

The bill was laid before the Senate, read third time, and on motion of Senator Dean, was passed by the following vote:

Yeas—28.

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| Alderdice. | Gibson. |
| Bailey. | Hall. |
| Bell. | Hertzberg. |
| Buchanan of Bell. | Hopkins. |
| Buchanan of Scurry. | Johnston. |
| Caldwell. | Page. |
| Carlock. | Parr. |
| Clark. | Rector. |
| Cousins. | Smith. |
| Dayton. | Strickland. |
| Dean. | Suiter. |
| Dorough. | Williford. |
| Faust. | Witt. |
| Floyd. | Woods. |

Absent.

| | |
|-----------|------------|
| Dudley. | Westbrook. |
| McNealus. | |

House Joint Resolution No. 38.

By unanimous consent and on request of Senator Johnston, the Chair laid before the Senate on second reading:

H. J. R. No. 38, being a resolution to be entitled "House Joint Resolution proposing an amendment to Article 16 of the Constitution of the State of Texas, by adding a new section thereto, to be known as Section 59; providing that the Legislature shall have power to enact laws authorizing a division of the net proceeds arising from the operation of the prison system of this State between the State and prisoners confined in the penitentiary or their dependents; providing for the submission of a proposed amendment to a vote of the people, and making an appropriation to defray the expenses of such election."

The committee report that the resolution be not printed was adopted.

The resolution was laid before the Senate, read second time and, on motion of Senator Johnston, was passed to its third reading.

Excused.

Senator Bailey was excused for the remainder of the day on account of sickness, on motion of Senator McNealus.

House Bill No. 502.

The Chair laid before the Senate on second reading:

H. B. No. 502, A bill to be entitled "An Act to permit the Texas- Arkansas and Louisiana Railway Company to take up and remove its railroad track heretofore constructed from Atlanta to Bloomburg, Texas, in Cass County, and to sell and dispose of same, together with its locomotive engines, etc."

The committee report that the bill be not printed was adopted.

The bill was read second time, and passed to its third reading.

On motion of Senator Dorough the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 502 put on its third reading and final passage by the following vote:

Yeas—22.

| | |
|---------------------|-------------|
| Alderdice. | Hall. |
| Bell. | Hertzberg. |
| Buchanan of Bell. | Hopkins. |
| Buchanan of Scurry. | Johnston. |
| Caldwell. | Page. |
| Clark. | Parr. |
| Dayton. | Rector. |
| Dorough. | Strickland. |
| Faust. | Suiter. |
| Floyd. | Williford. |
| Gibson. | Witt. |

Present—Not Voting.

McNealus.

Absent.

| | |
|----------|------------|
| Carlock. | Smith. |
| Cousins. | Westbrook. |
| Dean. | Woods. |
| Dudley. | |

Absent—Excused.

Bailey.

The bill was laid before the Senate, read third time and, on motion of Senator Dorough, was passed finally.

Senate Bill No. 69—House Amendment Concurred In.

Senator Caldwell called up for consideration of House amendments to: S. B. No. 69, A bill to be entitled "An Act making an appropriation for cleaning the State Library and ar-

ranging material, and declaring an emergency."

The following House amendment was laid before the Senate and read:

Amend Senate Bill No. 69 by striking out Section 1 and inserting in lieu thereof the following:

"Section 1. That the sum of five hundred dollars (\$500), or so much thereof as may be necessary, be and the same is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to be expended under the direction of the State Librarian for the following purposes: Two hundred and fifty dollars (\$250), or so much thereof as may be necessary, for the purpose of cleaning the State Library and putting both the main library and the basement room in a thoroughly sanitary condition; and two hundred and fifty dollars (\$250), or so much thereof as may be necessary, for the purpose of arranging material in accessible form."

On motion of Senator Caldwell, the amendment was concurred in.

House Bill No. 6.

Senate Parr called up and the Chair laid before the Senate on second reading:

H. B. No. 6, A bill to be entitled "An Act granting to the city of Corpus Christi, Texas, all rights, title and interest of the State of Texas to certain land lying and being situated under the waters of Corpus Christi Bay and granting to said city of Corpus Christi the right, power and authority to locate, construct, own and maintain certain seawalls or breakwaters on said lands and to fill in the space between the main land and said seawalls or breakwaters with sand, dredge spoils or other materials and granting to the city of Corpus Christi the right to take from Corpus Christi Bay such sand, dredge spoils or other material as may be necessary or desirable for filling in said space; and authorizing said city of Corpus Christi to remove and abate any encroachment or structures existing on said property east of a line fixing the limit of riparian rights and to bring such suit or suits as may be necessary to carry out the provisions of this act; and granting to said city of Corpus Christi the

right to fix a shipping district and to authorize, purchase and construct, own and maintain piers and wharves, and to grant franchises therefor into the waters of Corpus Christi Bay beyond said seawalls or breakwaters upon vote of the people of the said city; also fixing the rights of the riparian owners, and granting the right of eminent domain, and reserving all mineral rights to the State, requiring \$2.00 per acre to be paid for said land and the disposing of said funds, fixing the time to begin construction, and declaring an emergency."

Senator Hopkins offered the following amendment:

Amend committee amendment to House Bill No. 6, page 11, by inserting after the word "city" in line 1, the following:

"for a term of twenty-five years."

On motion of Senator Parr the amendment was tabled by the following vote:

Yeas—18.

| | |
|---------------------|-----------|
| Bell. | Faust. |
| Buchanan of Scurry. | Floyd. |
| Caldwell. | Gibson. |
| Carlock. | Hall. |
| Clark. | Johnston. |
| Cousins. | Page. |
| Dayton. | Parr. |
| Dean. | Rector. |
| Dorough. | Smith. |

Nays—7.

| | |
|-------------------|------------|
| Alderdice. | Williford. |
| Buchanan of Bell. | Witt. |
| Hopkins. | Woods. |
| Strickland. | |

Present—Not Voting.

McNealus.

Absent.

| | |
|------------|------------|
| Dudley. | Westbrook. |
| Hertzberg. | |

Pair Recorded.

Senator Suiter (present), who would vote no; Senator Bailey (absent), who would vote aye.

Senator Hopkins offered the following amendment which was read and adopted:

(2) Amend committee amendment to House Bill No. 6, page 13, by striking out Section 8 and insert in lieu thereof the following:

"Section 8. All mines and minerals, and mineral rights, including

oil and gas in and under said land, together with the right to enter thereon for the purpose of development, are hereby expressly reserved to the State of Texas."

Senator Hopkins offered the following amendment:

(3) Amend committee amendment to H. B. No. 6, by striking out the period at the end of section 4, and insert a semi-colon and the following: "and to provide for free wharfage and reasonable storage charges."

The amendment was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 6 put on its third reading and final passage by the following vote:

Yeas—24.

| | |
|---------------------|-------------|
| Alderdice. | Johnston. |
| Bell. | McNealus. |
| Buchanan of Bell. | Page. |
| Buchanan of Scurry. | Parr. |
| Carlock. | Rector. |
| Clark. | Smith. |
| Dayton. | Strickland. |
| Faust. | Suiter. |
| Floyd. | Westbrook. |
| Hall. | Williford. |
| Hertzberg. | Witt. |
| Hopkins. | Woods. |

Absent.

| | |
|----------|----------|
| Caldwell | Dorough. |
| Cousins. | Dudley. |
| Dean. | Gibson. |

Absent—Excused.

Bailey.

The bill was laid before the Senate and on motion of Senator Parr, was passed by the following vote:

Yeas—22.

| | |
|---------------------|-------------|
| Alderdice. | Hall. |
| Bell. | Hertzberg. |
| Buchanan of Bell. | Johnston. |
| Buchanan of Scurry. | McNealus. |
| Caldwell. | Page. |
| Carlock. | Parr. |
| Clark. | Smith. |
| Dayton. | Strickland. |
| Faust. | Westbrook. |
| Floyd. | Williford. |
| Gibson. | Witt. |

Nays—1.

Hopkins.

Present—Not Voting.

| | |
|---------|--------|
| Rector. | Woods. |
|---------|--------|

Absent.

| | |
|----------|----------|
| Cousins. | Dorough. |
| Dean. | Dudley. |

Pair Recorded.

Senator Suiter (present), who would vote no; Senator Bailey (absent), who would vote aye.

Senate Bill No. 35.—Conference Committee Report.

Committee Room,

Austin, Texas, March 14, 1919.

Hon. W. A. Johnson, President of the Senate, and Hon. R. E. Thomason, Speaker of the House.

Sirs: We, your Conference Committee for the Senate and House of Representatives on Senate Bill No. 35, beg leave to report that we have met and discussed differences and hereby recommend that the Senate Bill be accepted and that the House of Representatives recede from its amendments.

STRICKLAND.

CALDWELL.

COUSINS.

On the part of the Senate.

NORDHAUS.

MILLER of Dallas.

FAIRCHILD.

BAGBY.

On the part of the House.

The foregoing report was read and on motion of Senator Caldwell the same was adopted by the following vote:

Yeas—25.

| | |
|---------------------|-------------|
| Alderdice. | Hertzberg. |
| Bell. | Hopkins. |
| Buchanan of Bell. | Page. |
| Buchanan of Scurry. | Parr. |
| Caldwell. | Rector. |
| Carlock. | Smith. |
| Clark. | Strickland. |
| Dayton. | Suiter. |
| Dorough. | Westbrook. |
| Faust. | Williford. |
| Floyd. | Witt. |
| Gibson. | Woods. |
| Hall. | |

Present—Not Voting.

McNealus.

Absent.

Cousins.
Dean.

Dudley.
Johnston.

Absent—Excused.

Bailey.

Message from the House.

Hall of the House of Representatives.
Austin, Texas, March 13, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 147, A bill to be entitled "An Act creating the Board of Audits and Estimates; prescribing the number, the qualifications and salaries of members of said board; abolishing the office of State Purchasing Agent and devolving upon said Board of Audits and Estimates all of the authority, and duties of the State Purchasing Agent; prescribing additional duties for said board in the matter of purchasing supplies for the departments and institutions of the State; making it the duty of said board to design a uniform system of accounting for the departments, institutions and schools of the State and for the prison system; and requiring said board to cause audits to be made of the books of every department, institution and school of the State, including the prison system at least once each year and at such other times as may be practicable, advisable or necessary; charging said board with the duty of acquiring information and data relative to the financial needs of the various departments, institutions and schools of the State, and of the Prison Commission, and to make up and submit an appropriation budget for the use of the Legislature for the departments, institutions and schools of the State, and of the prison system; providing the number that shall be required as a quorum for said board, and for the election of a chairman thereof; authorizing the said board to select officers and to employ such clerical and other help as it may need; authorizing mandamus suits against said board in the Supreme Court of

the State, and declaring an emergency."

With amendments.

Respectfully submitted,

T. B. REESE,
Chief Clerk, House of Representatives.

House Joint Resolution No. 29.

By unanimous consent, the Chair laid before the Senate on second reading:

H. J. R. No. 29, a resolution to be entitled "A Joint Resolution to amend Article 7, Sections 10, 11, 12, 13, 14 and 15, of the Constitution of the State of Texas, which Article relates to education, and which sections provide for the establishment and support of the University of Texas, the Agricultural and Mechanical College of Texas, and for a branch college for the institution of colored youths, and which amendments provide for the permanent location of the University of Texas, the Agricultural and Mechanical College of Texas, the Prairie View State Normal and Industrial College and the State College of Industrial Arts; provide that the Texas State Medical College and the School of Mines at El Paso shall be branches of the University of Texas, and for their permanent location; providing that said University, said Agricultural and Mechanical College and said College of Industrial Arts shall be separate State institutions and independent in organization, etc."

Senator Caldwell offered the following amendments, which were read and adopted:

(1) Amend H. J. R. No. 29 by striking out all of Section 10 of the proposed Article VII of the Constitution of the State of Texas, as proposed in Section 1 of the said H. J. R. No. 29, and insert in lieu thereof the following:

Section 10. In pursuance of constitutional authority and direction, the State having established the University of Texas at Austin, in Travis County; the Agricultural and Mechanical College of Texas at College Station, in Brazos County; and the Prairie View State Normal and Industrial College for the instruction of colored youths of the State, at Prairie View, in Waller County; and the Legislature having established

the State College of Industrial Arts at Denton, in Denton County, the said University of Texas, the said Agricultural and Mechanical College of Texas, and the said College of Industrial Arts for White Girls, are hereby declared separate State institutions and independent in organization. The Texas State Medical College, located at Galveston, in Galveston County, and the School of Mines, located at El Paso, in El Paso County, are constituted branches of the University of Texas. The Prairie View State Normal and Industrial College for the instruction of colored youths is constituted a branch of the Agricultural and Mechanical College of Texas."

(2) Amend H. J. R. No. 29 by striking out the word "State" as it appears before "College of Industrial Arts" in the caption.

Senator Dean offered the following amendment, which was read and adopted:

Amend H. J. R. No. 29, line 2, page 7, of the engrossed resolution, by inserting after the word "as" and before the word "may" the following, "are now or."

Senator Hopkins offered the following amendment, which was read and adopted:

Amend H. J. R. No. 29, Section 13, by striking out the following, "or in its discretion by the tax levy, or by both appropriations and tax levy," and by striking out such verbiage wherever it appears in the resolution.

The resolution was laid before the Senate, read second time and, on motion of Senator Caldwell, was passed to its third reading.

House Bill No. 87.

The Chair laid before the Senate on second reading:

H. B. No. 87, A bill to be entitled "An Act to amend Chapter 6, Title 37, of the Revised Civil Statutes of Texas, relating to process and returns, by adding thereto Article 1875a, providing that in citations by publication it shall not be necessary to state in the citation the details and particulars of the cause of action, and providing that in such suits against unknown heirs involving land it shall be sufficient in mak-

ing the brief statement of the cause of action in such citation to state the kind of suit, the number of acres of land involved in the suit, the survey on which the land is situated and the county in which said land is situated, and declaring an emergency."

The committee report carrying a substitute was adopted.

The bill was read second time, and passed to its third reading.

On motion of Senator Faust the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 87 put on its third reading and final passage by the following vote:

Yeas—24.

| | |
|---------------------|-------------|
| Alderdice. | Hertzberg. |
| Bell. | Hopkins. |
| Buchanan of Bell. | Johnston. |
| Buchanan of Scurry. | Page. |
| Caldwell. | Parr. |
| Clark. | Rector. |
| Cousins. | Smith. |
| Dayton. | Strickland. |
| Dean. | Suiter. |
| Derough. | Williford. |
| Faust. | Witt. |
| Hall. | Woods. |

Absent.

| | |
|----------|------------|
| Carlock. | Gibson. |
| Dudley. | McNealus. |
| Floyd. | Westbrook. |

Absent—Excused.

Bailey.

The bill was laid before the Senate, read third time and, on motion of Senator Faust was passed finally.

House Joint Resolution No. 35.

The Chair laid before the Senate on second reading:

H. J. R. No. 35, being a resolution to be entitled "A House Joint Resolution proposing an amendment to Section 51 of Article 3 of the Constitution of the State of Texas, to provide that the Legislature may grant pensions to Confederate soldiers, sailors and their widows who have been citizens of Texas since January 1st, 1912, providing that all soldiers, sailors and their widows eligible under the provisions hereof

shall be entitled to be placed upon the rolls and participate in the pension fund created hereunder; levying a tax of six cents on the \$100 valuation of property in this State for the payment of such pension, providing that the Legislature may reduce the rate of pension for such purpose, fixing a time for the election to be held on such amendment, and making an appropriation to pay the expenses thereof."

The committee report carrying amendments was adopted.

Senator Hopkins offered the following, which was read and adopted:

(1) Amend H. J. R. No. 35, page 1, by striking out the word "since" in line 17 and insert in lieu thereof the words "prior to."

Senator Dean offered the following, which was read and adopted:

(2) Amend H. J. R. No. 35 by striking out the figures "1910" and insert in lieu thereof the figures "1900" in the caption and in the bill.

The resolution was laid before the Senate, read second time and, on motion of Senator Hopkins, was passed to its third reading.

House Bill No. 168.

The Chair laid before the Senate on second reading:

H. B. No. 168, A bill to be entitled "An Act appointing and designating Mrs. O. M. Roberts as assistant guide in charge of painting; providing for her salary; making an appropriation, and declaring an emergency."

On motion of Senator Dorrough the bill was laid on the table subject to call.

Adjournment.

At 4:13 o'clock p. m., the Senate, on motion of Senator Clark adjourned until 4:15 o'clock today.

APPENDIX.

Engrossing Committee Reports.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill

No. 395 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 398 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 317 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, March 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 597, A bill to be entitled "An Act to amend Sections 6, 7, 8, and 13 of Chapter 12, Acts of the Thirty-fourth Legislature, passed at its Regular Session, being 'An Act to create a special and more efficient road system for Collin County, and declaring an emergency.'"

Have had said bill under consideration and I am instructed to report it back to the Senate with the recommendation that it be passed and that it be not printed.

WOODS, Chairman.

(Floor Report.)

Senate Chamber.

Austin, Texas, March 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries to whom was referred

H. B. No. 635, A bill to be entitled "An Act to create a more efficient road law for Delta County; providing for levying and collecting taxes; authorizing commissioners' court of said county to employ road superin-

tendents and laborers on the public roads thereof; also working convicts in opening, laying out and repairing said road; giving the commissioners' court the power to establish, change, or improve or discontinue public roads, and to purchase and use all necessary teams and implements for that purpose, and giving to said court the power to redeem land for establishing, widening, draining or otherwise improving the public roads, and to cause obstructions to be removed therefrom; making each commissioner of said court a road superintendent of his precinct and prescribing his duties; fixing the compensation for county commissioners for road services; providing for nomination and election of special precinct commissioners as members of the permanent road board, specifying their duties, repealing all laws in conflict herewith, and declaring an emergency."

Have had same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

Woods, Chairman; Caldwell, Carlock, Strickland, Williford.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred H. B. No. 631, have had the same under consideration and I am directed to report it favorably with the recommendation that it do pass, and be not printed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred H. B. No. 632, have had the same under consideration and I am directed to report it favorably with the recommendation that it do pass, and be not printed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 245, A bill to be entitled

"An Act prescribing that trial judges and jurors, who hold policies in any life insurance company, whether fraternal or otherwise, shall not be disqualified to sit upon the trial of such cases, in which such life insurance companies are parties, plaintiff or defendant, and declaring an emergency,"

Have had said bill under consideration and I am directed to report the same back to the Senate with the recommendation that it do pass and be printed only in the Journal, with the following committee amendments:

Amend the caption by striking out the words "trial judges and."

Amend the bill by striking out Section 1 and inserting in lieu thereof the following:

"Section 1. That in any case in which any fraternal benefit society or other life insurance company of any character doing business in this State, is made a party, plaintiff or defendant, the fact that any juror is a policy holder in such fraternal benefit society or insurance company, shall not disqualify him to sit as a juror in the trial of such case."

Amend Section 2 by striking out the words "trial judges and" in line 1 of said Section 2.

DEAN, Chairman.

Enrolling Committee Reports.

Committee Room,

Austin, Texas, March 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills, have carefully examined and compared S. B. No. 338, and find it correctly enrolled, and have this day at 11:15 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,

Austin, Texas, March 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills, have carefully examined and compared S. B. No. 381, and find it correctly enrolled, and have this day at 11:15 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, March 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills, have carefully examined and compared S. B. No. 390, and find it correctly enrolled, and have this day at 11:15 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, March 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills, have carefully examined and compared S. B. No. 394, and find it correctly enrolled, and have this day at 11:15 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, March 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills, have carefully examined and compared S. B. No. 64, and find it correctly enrolled, and have this day at 11:15 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Cousins. C. S., S. B. No. 64.

A BILL

To be entitled.

An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including the fixing of a minimum wage; providing for an appropriation therefor, and fixing penalties for violating this Act, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. There is hereby established a commission to be known as the Industrial Welfare Commission, hereinafter called the Commission. Said Commission shall be composed of three persons as follows: The head of the Bureau of Labor Statistics, who shall be chairman of the Commission, the representative of employers of labor on the Industrial Accident Board, and the State Superintendent of Public Instruction. Two members of the Commission shall constitute a quorum, the concurrence of

two members shall be necessary to determine any question that may arise for decision, and a vacancy on the Commission shall not impair the right of the remaining members to perform all the duties and exercise all the powers and authority of the Commission.

Sec. 2. The Commission may employ a secretary and two (2) investigators to carry out the purpose of this Act, and shall fix the compensation of such employees, not to exceed the sum of \$1800.00 per annum for each one, and all necessary traveling expenses, within the appropriation made therefor.

Sec. 3. (a) It shall be the duty of the Commission to ascertain the wages paid, the hours and conditions of labor and employment in the various occupations, trades, and industries in which women and minors are employed in the State of Texas, and to make investigations into the comfort, health, safety and welfare of such women and minors.

(b) It shall be the duty of every person, firm and corporation employing labor in this State:

1. To furnish to the Commission, at its request, any and all reports or information which the Commission may require pertaining to the working conditions and wages paid women and minors to carry out the purpose of this Act; such reports and information to be verified by the oath of the person, or a member of the firm, or the president, secretary, or manager of the corporation furnishing the same, if and when requested by commission or any member thereof.

2. To allow any member of the commission, or its secretary or any of its duly authorized employees, free access to the place of business or employment of such person, firm, or corporation, for the purpose of making an investigation authorized by this Act, relating to the working conditions and wages of women and minors.

3. To keep a register of the names, ages and residence addresses of all women and minors employed.

(c) For the purpose of this Act, a minor is defined to be a person of either sex under the age of fifteen years.

Sec. 4. The commission may specify times to hold public hearings, at which time employers, em-

ployees or other interested persons may appear and give testimony as to the matter under consideration. The commission or any member thereof, or the secretary or any investigator employed by said commissions, shall have power to subpoena witnesses and to administer oaths. All witnesses subpoenaed by the commission shall be paid the fee and mileage fixed by law in civil cases. In case of failure on the part of any person to comply with any order of the Commission or any member thereof or by any subpoena, or upon the refusal of any witness to testify to any matter regarding which he may lawfully be interrogated before any wage board or the Commission, it shall be the duty of any district court or the judge thereof, to whom application is made, on the application of a member of the Commission, to compel obedience in the same manner, by contempt proceedings or otherwise, that such obedience would be compelled in a proceeding pending before said court. The Commission shall have power to make and enforce reasonable and proper rules of practice and procedure and shall not be bound by technical rules of evidence.

Sec. 5. The Commission shall have further power, after a public hearing before any member of the Commission, or before any investigator employed by said Commission, and upon its own motion or upon petition, to fix;

1. A minimum wage to be paid to women and minors engaged in any occupation, trade or industry in this State, which shall not be less than a wage adequate to supply such women and minors the necessary cost of proper living and to maintain the health and welfare of such women and minors.

2. The standard conditions of labor demanded by the health and welfare of the women and minors engaged in any occupation, trade or industry in this State.

(b) Upon the fixing of a time and place for the holding of a hearing for the purpose of considering and acting upon any matter referred to in subsection (a) hereof, the Commission shall give public notice by advertising in at least one newspaper published in the county where the hearing is to be held, and by mailing a copy of said notice to the county clerk of

such county where the hearing is to be held, and to the individual, firm, or corporation, to be investigated, which notice shall state the time and place of such hearing to be held, which shall not be earlier than ten days from the date of publishing and mailing such notice.

(c) After such public hearing the Commission may, in its discretion, make a mandatory order to be effective in sixty days from the making of such order, specifying the minimum wage for women and minors in the occupation in question and the standard conditions of labor for said women and minors; provided, however, that no such order shall become effective until November 1st, 1919.

Such order shall be published in at least one newspaper in the cities of Dallas, Houston, San Antonio, Fort Worth, El Paso and Austin; and a copy thereof mailed to the county clerk of each county in the State, and each copy shall be recorded without charge, and copies shall be mailed to each employer in the occupation in question, and each employer in the occupation in question shall be required to post a copy of such order in a conspicuous place in the building in which the women or minors affected by the order are employed. Failure of the employer to receive such notice shall not relieve the employer from the duty to comply with such order. Finding by the Commission that there has been such publication and mailing to the county clerk shall be conclusive to the service.

Sec. 6. Whenever wages or conditions of labor have been so made mandatory in any occupation, trade or industry, the Commission may at any time in its discretion upon its own motion or upon petition of either employers or employees, after a public hearing held upon the notice prescribed for an original hearing, rescind, or amend any prior order. Any order rescinding a prior order shall have the same effect as herein provided for in an original order.

Sec. 7. For any occupation in which a minimum wage has been established, the Commission may issue to any person subject to this Act, a special license authorizing the employment of such person for a period of six months for a wage less than such legal minimum wage; and the Commission shall fix a special minimum

wage for such person; provided that at no time shall the special licenses exceed ten per cent of the total number of employees in said industry. Any such license may be renewed for a like period of six months.

Sec. 8. Upon the request of the Commission, the labor commissioner shall cause such statistics and other data and information to be gathered and investigation made, as the Commission may require pertaining to the wages and working conditions of women and minors.

Sec. 9. Any employer who discharges, or threatens to discharge, or in any other manner discriminates against any employee because such employee has testified or is about to testify, or because such employer believes that said employee may testify in any investigation or proceeding relative to the enforcement of this Act, shall be deemed guilty of a misdemeanor, and shall upon conviction be punished by a fine of not less than ten (\$10.00) Dollars, nor more than one hundred (\$100.00) Dollars, or by imprisonment in the county jail of not more than thirty days or by both such fine and imprisonment.

Sec. 10. The minimum wage for women and minors fixed by said Commission as in this Act provided, shall be the minimum wage paid to such employees, and the payment to such employees of a less wage than the minimum wage so fixed shall be unlawful, and every employer or other person who, either individually or as an officer, agent or employee of a corporation or other person, pays or causes to be paid to any such employee a wage less than such minimum shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars, or by imprisonment of not more than thirty days in the county jail, or by both such fine and imprisonment.

Sec. 11. In every prosecution for the violation of any provision of this Act the minimum wage established by the Commission as herein provided, shall be prima facie presumed to be reasonable and lawful, and to be the living wage required herein to be paid women and minors. The finding of facts made by the Commission acting within its powers

shall, in the absence of fraud, be conclusive; and the determinations made by the Commission shall be subject to review only in a manner and upon the grounds following: Within thirty days from the date of determination, any party aggrieved thereby may commence action in the district court in and for the county in which the aggrieved party resides, or in the district court of Travis county, against the Commission for review of such determination. In such action a complaint which shall state the grounds upon which a review is sought shall be served with the summons. Service upon the secretary of the Commission or upon any member of the Commission, shall be deemed a complete service. The Commission shall file its answer within twenty days after the service of the complaint. With its answer, the Commission shall make a return to the court of all documents and papers on file in the matter, and of all testimony and evidence which may have been taken before it and of its findings and determinations in the matter. The action may thereupon be brought on for hearing before the court upon such record by either party on ten days' notice to the other. Upon such hearing the court may confirm or set aside such determination, but the same shall be set aside only upon the following grounds:

(1) That the Commission acted without or in excess of its powers, or on insufficient grounds.

(2) That the determination was procured by fraud.

Upon the setting aside of any determination the court may recommit the controversy and remand the record in the case to the Commission for further proceedings. The Commission or any party aggrieved, by a decree entered upon the review of a determination, may appeal therefrom within the time and in the manner provided for an appeal from the orders of the said district court.

Sec. 12. Any employee receiving less than the minimum wage applicable to such employee shall be entitled to recover in a civil action the unpaid balance of the full amount of such minimum wage, together with costs of suit, and an additional amount for attorney fees, notwithstanding any agreement to work for such lesser wage.

Sec. 13. Any person or persons

for whom the Commission may have established a living wage may register a complaint with the Commission that the wages paid to him or them are less than that rate, and the Commission shall thereupon investigate the matter and take all proceedings necessary to enforce the payment of such established wage.

Sec. 14. The Commission shall biennially make a report to the Governor and the State Legislature of its investigations and proceedings.

Sec. 15. There is hereby appropriated out of the moneys of the State Treasury, not otherwise appropriated, the sum of Five Thousand (\$5,000.00) Dollars, or so much thereof as may be necessary, to be used by the Commission in carrying out the provisions of this Act to August 31, 1919, and the Comptroller is hereby directed from time to time to draw warrants upon presentation of properly itemized, verified and approved vouchers on the general fund in favor of the Commission for the amounts expended under its direction, and the treasurer is hereby authorized and directed to pay the same.

Sec. 16. The Commission shall not act as a board of arbitration during a strike or lockout.

Section 17. (a) Whenever this Act, or any part or section thereof is interpreted by a court, it shall be liberally construed by such court.

(b) If any section, or sub-section or subdivision of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act, and each section, sub-section, subdivision, sentence, clause and phrase thereof; irrespective of the fact that any one or more sections, sub-sections, subdivisions, sentences or clauses or phrases is declared unconstitutional.

Sec. 18. The provisions of this Act shall apply to and include women and minors employed in any occupation, trade or industry and whose compensation for labor is measured by time, piece or otherwise, except those engaged as domestic servants, nurses, student nurses, farm or ranch labor and students in schools and colleges while actually attending such schools and colleges during their session or in vacation and who are working their

way through such school or college, either in whole or in part.

Sec. 19. The fact that there is now no law covering this matter and that the welfare of the women and minors of Texas demands suitable legislation creates an emergency and an imperative public necessity requiring that the constitutional rule requiring bills to be read on three several days be suspended and the same is hereby suspended, and that this Act shall take effect from and after the date of its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 161, copy of which is hereto attached, and find it correctly enrolled, and have this day at 11:15 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Bell.

S. B. No. 161.

A BILL

To Be Entitled

An Act to make certain emergency appropriations out of the general revenue for the Live Stock Sanitary Commission for the fiscal year ending August 31, 1919, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums be and the same are hereby appropriated out of the general revenue to cover emergencies for the purposes herein named for the Live Stock Sanitary Commission for the balance of the fiscal year ending August 31st, 1919:

| | |
|--|-----------|
| Additional expenses of chairman of the Live Stock Sanitary Commission | \$ 250.00 |
| Additional expenses for one Commissioner..... | 200.00 |
| Additional expenses for one Commissioner..... | 200.00 |
| Additional expenses of chief cattle inspector.. | 87.50 |
| Additional expenses of chief sheep inspector.... | 58.33 |
| Additional expenses of State Veterinarian and Assistant State Veterinarian | 800.00 |

| | |
|---|---------------------|
| Salaries for ten additional inspectors at \$83.33 per month each | 4,166.50 |
| Conveyance expenses for inspectors, covering auto and livery expenses and hire and other conveyance expenses and hire, except by rail | 10,500.00 |
| Additional expenses for inspectors, covering hotel bills and other necessary traveling expenses, except conveyance | 9,625.00 |
| Additional office expenses, including office rent, stamps, stationery, telegraph and telephone service, printing, office furniture and fixtures and all necessary office expenses | 1,000.00 |
| Additional funds for the eradication of contagious and infectious diseases | 500.00 |
| Additional railroad transportation for members, officials and employes of the Live Stock Sanitary Commission | 10,000.00 |
| Total | \$ 37,387.33 |

Section 2. The fact that there is no available appropriation out of which to pay the above claims, and the further fact that the work of the Live Stock Sanitary Commission has greatly increased, necessitating greater expenditures in conducting the work of that department, creates an emergency and an imperative public necessity exists which justifies that the constitutional rule requiring bills to be read on three several days be suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 14, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 81, copy of which is hereto attached, and find it correctly enrolled, and have this

day at 11:15 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By McNealus.

S. B. No. 81.

A BILL

To Be Entitled.

An Act to amend Article 5663 and add Article 5663a, 5663b, Title 86, Chapter 8, of the Revised Civil Statutes of Texas (1911), relating to fixing a special lien in favor of hotels, inns and boarding houses and providing a remedy for the enforcing of said lien by advertising and selling the baggage and other property of the guests of such hotel, inn or boarding house, providing for the disposition of the proceeds of said sale, defining the term hotel and inn and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That Article 5663 of the Revised Civil Statutes of Texas be amended as to hereafter read as follows:

Article 5663. Proprietors of hotels, boarding houses or inns, whether individual, partnership or corporation shall have a special lien upon all baggage and other property in and about such hotel, inn or boarding house brought to the same by or under control of his guests or boarders for the accommodations, board and lodging or either and for all money paid for and advanced to them and for such other extras as are furnished at the request of such guest and said inn keeper, boarding house keeper and hotel-keeper, shall have the right to detain such baggage and other property until the amount of such charges are paid and such baggage and other property shall be exempt from attachment or execution until such lien and the costs of satisfying it are paid.

Section 2. That Article 5663a be added to read as follows:

Article 5663a. The inn keeper, boarding house keeper, or hotel keeper shall retain such baggage and other property upon which he has a lien for a period of thirty days, at the expiration of such time if such lien is not satisfied, he may sell such baggage or other property, at public auction, first giving notice of the time and place of sale by posting at least three notices thereof in public places

in the county where the inn, hotel or boarding house is situated and also by mailing a copy of such notices to said guest or boarder at the place of residence designated by the register of such inn or hotel if the register shows a place of residence; and after satisfying the lien and costs that may accrue, and residue remaining shall on demand, within sixty days, be paid such guest or boarder and if not demanded within sixty days from date of sale, such residue shall be deposited by such proprietor with the treasurer of the county in which said hotel, inn or boarding house is located, accompanied with a true and correct statement made under oath and which residue shall be retained by the county treasurer for a period of one year, and if not claimed within that time by the owner thereof, the county treasurer shall pay the same into the State Treasury, and it shall be placed to the credit of the escheat fund.

Section 3. That Article 5663b be added to read as follows:

Article 5663b. Under the meaning of this Act a hotel or inn is a place where the proprietor makes it his business to furnish food or lodging, or both to all who apply, paying suitable compensation therefor, provided further that the words hotel or inns shall be construed to include rooming houses.

Section 4. The fact that there is no adequate law in force respecting the subject matter covered by this Act, creates an emergency, and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house, be suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 144, copy of which is hereto attached, and find it correctly enrolled, and have this day at 11:15 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Suiter.

S. B. No. 144.

A BILL

To Be Entitled.

An Act providing that executing what purports to be the last will and testament of another without the consent of such person to be unlawful and to be forgery, and providing penalty therefor, and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That it shall be unlawful for any person to execute what purports to be the last will and testament of another, without the consent of such person, and any person so offending shall be guilty of forgery and shall be punished by confinement in the State Penitentiary for a term of not less than two years, nor more than seven years.

Section 2. Prosecution under this Act may be begun at any time after the commission of said offense and within five years after the death of said purported testator but not thereafter.

Section 3. The fact that there is no law now by which any person who shall forge a last will and testament can be punished, creates an emergency and a public necessity requiring the constitutional rules requiring bills to be read on three several days to be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Concurrent Resolution No. 33, copy of which is hereto attached, and find it correctly enrolled, and have this day at 11:15 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Suiter.

S. C. R. No. 33.

Whereas, Certain matters affecting the State Orphans' Home in Corsicana, Texas, have been called to the attention of the Senate, by the Governor of Texas, together with the Governor's request that these matters be investigated by a joint committee of the House and Senate,

for the purpose of determining what is best to be done for the benefit of the State Orphans' Home; therefore, be it

Resolved by the Senate of Texas, the House concurring. That a committee, consisting of two members of the Senate and three members of the House, be appointed by the President of the Senate and the Speaker of the House, respectively, for the purpose of investigating the matters referred to in the Governor's message of March 11th, A. D. 1919, and that said committee report to this session of the Legislature their findings, together with such recommendations as in their judgment they deem best for the benefit of said Home; be it further

Resolved, That this committee consider the transcript of evidence relating to the matters referred to at said State Orphans' Home, and which is now in the possession of the Governor of Texas, and that if said committee desires further evidence that it have power and authority to summon witnesses and to proceed with the investigation as in the Revised Statutes of the State of Texas provided, and that any and all witnesses subpoenaed to appear before said committee be allowed the same fees as is provided for witnesses in civil cases in the District Courts, and that all expenses of this investigation be paid out of the contingent expense account of the Senate and House, respectively, one-half each, on accounts duly sworn to and approved by the chairman of said committee and the chairman of the Contingent Expense Committee of the Senate and House, respectively.

Committee Room,

Austin, Texas, March 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 339, copy of which is hereto attached, and find it correctly enrolled, and have this day at 11:15 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Dean.

S. B. No. 339.

A BILL

To Be Entitled

An Act changing and fixing the times

of holding the courts in the Twelfth Judicial District of Texas, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The Twelfth Judicial District of Texas shall be composed of the Counties of Trinity, Leon, Walker, Madison and Grimes, as now constituted, and the District Courts shall be held therein as follows:

In the County of Trinity, on the third Monday in February and September of each year, and may continue in session four weeks.

In the County of Leon, on the fourth Monday after the third Monday in February and September of each year, and may continue in session four weeks.

In the County of Walker, on the eighth Monday after the third Monday in February and September of each year, and may continue in session four weeks.

In the County of Madison, on the twelfth Monday after the third Monday in February and September of each year, and the terms of court convening on the twelfth Monday after the third Monday in February may continue for three weeks, and the terms of court convening on the twelfth Monday after the third Monday in September may continue four weeks.

In the County of Grimes, on the third Monday in June and on the sixteenth Monday after the third Monday in September of each year, and may continue in session for six weeks.

Section 2. All writs and process returnable to the courts at the times now fixed by law shall be returnable at the terms and times as fixed by this Act, and shall be valid.

Section 3. All laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 4. The importance of this legislation and the crowded condition of the calendars and the near approach of the end of the regular session of the Thirty-sixth Legislature create an emergency and an imperative public necessity requiring the suspension of the constitutional rule that bills be read on three several days, and that this bill take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 14, 1919.
Hon. W. A. Johnson, President of the
Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 312, copy of which is hereto attached and find it correctly enrolled, and have this day at 11:15 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Hopkins. S. B. No. 312.

A BILL
To Be Entitled.

An Act to amend Article 7490 and Article 7497 of the Revised Civil Statutes of the State of Texas, of 1911, and Article 7491 of the Revised Civil Statutes of the State of Texas, of 1911, as amended by chapter 166 of the Acts of the Regular Session of the Thirty-fifth Legislature so as to further provide for the collection of inheritance taxes, the making of reports concerning estates subject to taxation, the fixing of penalties, prescribing duties and fixing compensation of District and County Attorneys and County Judges, and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That Article 7490 of the Revised Civil Statutes of the State of Texas, of 1911, Article 7491 of the Revised Civil Statutes of the State of Texas, of 1911, as amended by Chapter 166 of the Acts of the Regular Session of the Thirty-fifth Legislature, and Article 7497 of the Revised Civil Statutes of the State of Texas, of 1911, be amended so as to hereafter read as follows:

Article 7490. Every executor, administrator, or trustee of the estate of a decedent, leaving property subject to taxation under this chapter, or other person coming into possession of any portion of such estate, whether such property passes by will or by the laws of decent and distribution, or otherwise, shall within three months after coming into possession of any such property, make a report in duplicate, one of which shall be filed with the Comptroller and one with the county clerk of the county court of the county wherein such decedent resided at the time of his death, or wherein the principal part of such

estate is located, giving the date of death of such decedent, the approximate value of his estate, if known, of the persons entitled to receive such estate; and within one year after coming into possession of any portion of such estate, such person or persons shall, if some other person has not previously done so, file with the Comptroller and with the said county clerk said report to be preserved as a permanent record of said office pertaining to such estate, a complete inventory showing the condition of said estate, and pay the taxes owing on said estate as provided in this chapter; and in case the tax is not paid within the time herein prescribed a penalty of 2 per cent a month for the first ten months and two per cent a month thereafter until such tax is paid, shall be added to such tax and collected as first penalty for the failure to promptly pay such tax; provided that a lien shall exist on all property belonging to said estate to secure the payment of such tax, penalties, and costs, and all persons acquiring any portion of said estate shall be charged with notice of the existence of any unpaid tax, penalties, and costs, which may be enforced in any suit brought for the collection of such tax, and penalties, and the county attorneys and the district attorneys of this State are authorized at any time after the expiration of the time above mentioned to institute suit in behalf of the State in any court of competent jurisdiction for the recovery of such tax and the penalties owing thereon under this chapter and he shall receive as compensation therefor 10 per cent on the amount of the taxes payable hereunder, not to exceed in any one case the sum of \$200.00, which fee shall be added, and collected from said estate in addition to the taxes and penalties herein provided for, which compensation shall be in addition to all other fees and compensation provided by law; provided that the aggregate of fees received under this chapter shall not exceed in any one year the sum of \$2,000.00 and any fees earned in addition to said sum shall be considered a portion of the tax and penalties collected, and be distributed in the same manner.

Article 7491. It shall be the duty of the county attorney of each county of this State to carefully investigate and keep informed concerning

estates subject to the payment of taxes under this chapter and if the notice required by the preceding article is not given within three months from the death of any person leaving an estate subject to the payment of taxes under this chapter, such county attorney shall report the condition of said estate to the county judge of the county in which said decedent resided at the time of his death, or where the principal part of his estate was located, and if such report is not made as required in the preceding article within six months from the death of such person, it shall be the duty of the county judge to appoint an administrator of said estate. For his services in making the investigation and making the report herein required, the county attorney shall receive a commission of eight per cent of the taxes payable under this chapter, not to exceed in any one estate the sum of \$60.00, and the county judge shall receive a commission of two per cent of the taxes collected under this chapter, not to exceed in any one estate the sum of \$15.00, which fees shall be cumulative of all other fees and compensation provided by law. Such compensation shall be paid by the collector of taxes on the certificate of the county judge out of the taxes paid to him on property belonging to such estate. In case a report is filed by more than one county attorney, then the fee herein provided shall be allowed only to the county attorney who first filed said report.

Article 7494. If any person charged with the duty of filing a report under this chapter, shall knowingly make a false report, he shall be liable for a penalty not exceeding one thousand dollars which shall be collected by any county attorney or district attorney in the name of the State, by suit in any court of competent jurisdiction, twenty per cent of which penalty shall be retained by said officer as attorney's fees and the remainder shall be distributed as the taxes collected under this chapter are distributed.

Section 2. The fact that the law providing for the collection of inheritance taxes is inadequate creates an emergency and an imperative public necessity calling for the suspension of the constitutional rule requiring bills to be read on three several days and such rule is hereby

suspended and this Act shall take effect and be in force from and after its passage.

Committee Room,
Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 316, copy of which is hereto attached and find it correctly enrolled, and have this day at 2.30 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By McNealus.

S. B. No. 316.

A BILL

To Be Entitled

An Act to provide for the consolidation of two or more insurance companies doing the same line of business where one or all of them have been previously organized under the laws of this State; to regulate the manner of such consolidation, and to repeal all laws and parts of laws in conflict therewith; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Any two or more insurance companies doing a similar line of business which are and have been substantially owned by some controlling stockholders and which have never been actually competing companies with each other, and where all of them have been previously organized under the laws of this State, may unite or consolidate upon a compliance with the terms of this Act; provided, that such consolidation shall not be effectuated in violation of the anti-trust and anti-monopoly laws of this State.

Section 2. Before any such consolidation shall take place the parties holding at least two-thirds of the capital stock of each of the companies shall vote in favor thereof at a separate meeting of the stockholders of each company for such purpose. Such meeting may be called in the manner provided in the by-laws of the respective companies or the laws under which such companies are organized, for calling special meetings of stockholders, except that each stockholder shall be notified by mail of the time and place and object of such meeting.

Section 3. Such companies proposing to consolidate may unite their assets or any part thereof and become incorporated in one body under the name of any one or more of such companies or under any other name that may be agreed upon, and issue stock in such corporation to the stockholders of each of the companies consolidated, the actual value of which stock in the new company shall bear the same proportion to the actual value of the stock surrendered by such stockholder as the entire assets of the company surrendering such stock bears to the entire assets of the new company, which value shall be agreed upon by the board of directors of each company; provided that said stockholders (holding two-thirds of the stock) may at the meeting provided for in Section 2 of this Act delegate the valuation of assets to a committee of stockholders appointed by their respective boards of directors.

Section 4. Instead of the method provided in Section 3 of this Act, one company may take over all the assets of the other companies proposing to consolidate and issue stock to their stockholders in proportion that the value of their stock bears to the entire value of the assets of the company in which they are stockholders, and for this purpose the capital stock of such purchasing company may be increased, as now or may be hereafter provided by law.

Section 5. In case of consolidation under Section 3 of this Act, the Insurance Commissioner shall upon proof furnished of a compliance with the terms hereof and being satisfied that the proposed consolidation is for the best interests of the policy holders of the respective companies and made in accordance with law, and upon the filing of articles of incorporation and other due proceedings had as required by the laws of this State, issue and deliver a charter to such new company.

Section 6. Such consolidation shall work a dissolution of the companies absorbed, but shall in no wise prejudice the right of any creditors of any such corporation to have payment of his debt out of the assets and property thereof, nor shall any creditor be thereby deprived of, nor prejudiced in any right of action then

pending or existing or which may thereafter arise against said company, and service or summons of the proper officers or agents of such new or reorganized corporation shall be deemed sufficient as to all or any of such companies.

Section 7. All policies of insurance outstanding against all such companies shall by reason of such consolidation be assumed by the reorganized company, and they shall carry out the terms of such policy on the part of the insurer and be entitled to all the rights and privileges thereof and the reserves accumulating on such policy prior to such consolidation.

Section 8. The fact that the Texas companies are at a great disadvantage by reason of the present conditions, which could be remedied by a consolidation of the Texas companies, creates an emergency and an imperative public necessity, requiring the suspension of the constitutional rule requiring bills to be read on three several days in each house, and the said rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 186, copy of which is hereto attached, and find it correctly enrolled, and have this day at 2:30 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Dudley.

S. B. No. 186.

A BILL

To be entitled.

An Act to provide for the sale, development and patenting of mineral deposits, placers, veins, lodes, or any rocks or aqueous solutions carrying metallic or non-metallic substances of value excepting oil, natural gas, coal and lignite that may be in any of the land of the public free school fund, University fund, the several asylum funds, that may have been heretofore sold or disposed of by the State with the reservation of minerals therein

or which may hereafter be sold with the reservation of minerals therein, and all of said lands as were purchased with a relinquishment of the minerals therein and all lands of which the mineral rights therein have or shall have reverted to the State of Texas and the said mineral substances that may be in any fresh water lake, salt water lake, bays, inlets, marshes, reefs, islands, and river beds and channels which belong to the State, repealing all laws in conflict with this Act and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. All valuable mineral bearing deposits, placers, veins, lodes and any rocks or aqueous solutions carrying metallic or non-metallic substances of value, except oil, natural gas, coal and lignite that may be in any public free school land, University land, Asylum land, which has heretofore been sold under laws providing for the reservation of minerals therein and all of said substances that may be in or upon said land that was purchased with the relinquishment of the minerals therein, and all lands of which the mineral rights therein have or shall have reverted to the State of Texas as the sovereign government and all of said substances that may be in or upon any other public land including fresh water lakes, salt water lakes, bays, inlets, marshes, reefs, islands and river beds and channels, which belong to the State shall be included in this Act and subject to sale as provided herein, together with such rules as the Commissioner of the General Land Office may prescribe not inconsistent with the provision hereof.

Sec. 2. A mining claim upon mineral lands as described under Section 1 of this Act may equal, but shall not exceed 1500 feet in length and 600 feet in width; provided, that a mining claim for sulphur shall not be confined to 1500 feet in length and 600 feet in width, but any single claim for sulphur may cover as much as 200 acres of land. Such claims may be of unlimited depth, but shall be bounded by four vertical planes from the side and end lines. All claims shall be in the form of a parallelogram unless such form is prevented by adjoining rights and the locator shall

be entitled to the use of all superficial area bounded by the enclosed lines of the claim and to all minerals therein, except coal, natural gas, oil and lignite, upon the terms hereinafter provided.

Sec. 3. The locator of any mining claim as described under the preceding section of this Act shall post up at the center of one of the end lines of the claim, a written notice giving the name of the locator and of the claim, and date of posting and shall describe the claim by giving the number of feet in length, width and approximate direction the claim lies in length from the notice, together with the section number, if known, and the county, and shall place temporary posts or stone markers at the four approximate corners of the claim at the time of making the location. These temporary monuments shall be replaced by permanent monuments at the four corners as given by the County Surveyor within one hundred days after the issue of award to said claim. These permanent monuments shall be of timber posts four inches square, or equivalent, or of stone or concrete and shall be not less than three feet high. The location notice shall be posted in a conspicuous manner so that it can be easily seen. In all conflicts, priority of location shall decide.

Sec. 4. The locator shall within thirty days after posting the required notice, file with the County Surveyor of the county in which the land or a part thereof is situated an application in writing for the survey of the claim. Such application shall be accompanied by one dollar as a filing fee, and the application shall be recorded by the surveyor. The application shall give the name of the claim and the locator and such description of the boundary and location as will enable the surveyor to identify the area of the land. Within one hundred days after the application has been filed with the surveyor the application and field notes for the area applied for shall be filed in the General Land Office accompanied by one dollar as a filing fee. When an application has been considered and all things have been in compliance with the law, the commissioner shall issue to the applicant an award for the area, and within one hundred days thereafter the owner shall erect

the monuments provided for in Section 3. Nothing in this section shall be construed to interfere with the right of the locator to proceed with the development and operation of the property from and after the posting of the location, provided such operation does not conflict with the mineral rights of a prior locator or owner.

Section 5. In making the survey, it shall be obligatory on the surveyor that he locate and mark the corners of the claim on the ground as described in the location notice and that he shall determine the direction and distance to a corner of a section on which the claim is located, that he shall also determine the direction and distance to some prominent and permanent land mark other than a section corner which may serve as a mineral monument or marker and in the event of any conflict, this direction and distance to said prominent and permanent landmark shall have priority over all other distances and directions in serving to locate the mining claim. In making a record on the field notes and plat of the survey the directions and distances herein required shall be incorporated in and made a part of the record. For services rendered under this Act a surveyor shall not charge exceeding ten dollars per day.

Sec. 6. After the date of an award the owner shall have the exclusive right to the possession and use of the minerals within the area of the claim so long as he shall continue to do the annual assessment work or cause it to be done consisting of excavation in the form of a shaft or a tunnel, or an open cut to the extent of ten feet in depth or length and at least four feet by five feet for the other dimensions for each claim. If an award shall be issued prior to the first day of October of any year the first annual assessment work shall be done before the end of that calendar year and during the month of January following such owner shall file in the General Land Office his affidavit that such work has been done and shall state of what it consisted. Such owner of the minerals in such area shall during the next calendar year, beginning January 1st next after the date of such award, perform, or cause to be performed, the required annual assessment work and file an affidavit thereof as in the first instance

in the General Land Office during January of each succeeding year. All the assessment work for a group of claims may be done on one claim if such claims be contiguous.

Sec. 7. If any mining claim of any character shall be filed upon jointly by two or more locators and any one or more of them shall fail to contribute his proportion of any expenses required in this Act within the necessary time the co-owner or co-owners who have paid the fees or other expenditures required by this Act may, at the expiration of the time in which the payment is required to be made and after the same has been made, give notice in writing to such defaulting co-owner, or co-owners, or if such defaulting co-owner or co-owners cannot be found, then by publication in a newspaper published in the county where the claim is situated, or if no such newspaper is published in such county where the claim is situated, then in the newspaper published nearest thereto at least once a week for four successive weeks. If, after such publication notice, such delinquent shall fail or refuse to contribute his proportion of the expenditures required, his interest in the claim shall cease and shall be forfeited to the co-owner or co-owners who have made the required expenditures. An affidavit of such co-owner or co-owners of the claim accompanied by notices given, shall, when recorded in the office of the county clerk, be sufficient evidence of such delinquency and forfeiture.

Sec. 8. Failure of the locator or owner of any claim or claims to comply with any provisions of this Act prior to receiving patent thereto, shall constitute an ipso facto forfeiture of all his rights in the claim, and the claim shall be open to location by others as prescribed in this Act, the same as if no location had ever been made. Any claim which shall have been forfeited by any locator or locators, owner or owners, shall not be re-located either in whole or in part by any such forfeiting locator or owner, within a period of six months from time of forfeiture.

Sec. 9. All sales under this Act shall be upon the further condition that the applicant for the minerals in any claim shall pay the sum of fifty cents per acre, which sum shall be paid annually in advance after the

award of the area and during the month of each succeeding January of each year thereafter, also upon the condition that the owner shall perform or cause to be performed the annual assessment work as provided for, and in addition thereto, pay 5 per cent royalty upon the production of such claim as shown by the net smelter, mill, mint or refinery returns or of the sums arising from the sale of the ore or products from the claim, and received by the owner. Royalty payments arising from the sale of ores, mineral, or other products, shall be due quarterly in January, April, July and October for the quarters preceding the months and shall be accompanied by affidavit of owners, showing amounts of money received during the quarter from the sale of ore or mint, mill, or other products and accompanied by copies of smelter or refinery returns or other documents setting forth the amounts received by the owner; except that the royalty to be paid hereunder for sulphur shall be 5 per cent of the gross production. The royalties and annual payments shall be paid to the State through the Commissioner of the General Land Office at Austin. Such annual payments and such royalty shall apply on the purchase price of the claim. The owner shall have the right at any time after five years from the date of the award, to pay the balance due on the purchase price of the claim and obtain a patent thereto and after the issuance of the patent no further royalty shall be paid nor assessment work required. The purchase price shall be two hundred and fifty (\$250.00) dollars per acre. If during the first five years, royalties and annual payments shall amount to the purchase price, the royalties and annual payments shall cease and a patent to the claim shall be issued to the owner by the Commissioner of the General Land Office.

Sec. 9a. All State lands belonging to or under the jurisdiction and control of the Prison Commission of this State, or the Board of Trustees for the State Institution for the Training of Juveniles, and all other farms belonging to the State and administered by other boards, shall become subject to the provisions of this Act; but with the express reservation that in sales of the mineral rights in or under such farms, the annual payments and

the royalties shall be made so long as the purchasers of said rights shall desire to operate their respective claims, and in no event shall a patent issue upon any claim filed upon any such farms belonging to the State, and all rights of claimant to any land or filings hereunder, shall terminate upon permanent cessation by such claimant of operation under such claim.

Section 10. The locator or owner of a mining claim shall have the right to occupy within the limits of his claim so much of the surface ground as is strictly necessary for the use and exploitation of the mineral deposits and for the buildings and works necessary for mining operations and for the treating and smelting of the ore produced on such claims and to occupy within and without the limits of his claim the necessary land for right of way, for ingress and egress to and from his claim, for roadways, or railways; provided, that if the locator or owner of the mineral right cannot agree with the owner or lessee of the surface right in regard to the acquiring of same and in regard to the compensation for the injury incident to the opening and the working of such mine and the access thereto, he may apply to the judge of the county court of the county in which such mining claim is located by filing a written petition setting forth with a sufficient description the property and surface right sought to be taken and the purpose for which the same is to be taken, and it shall be the duty of such county judge of such county to appoint three disinterested free-holders to examine, pass upon, and determine the damages and compensation to be paid to the owner of such surface right or other property necessary to be taken, and the proceedings for acquiring or condemning such surface right or other property shall, at all times, so far as possible, be covered by the laws relating to the condemnation of rights of way for railway companies, locator or owner of such mining claim, occupying the position of the railway company, and an appeal may be taken from the decision of the commissioners upon the same terms and conditions and subject to the same regulations and qualifications prescribed by law for the condemnation of right of way for railways. Nothing in this section shall

be construed as giving the prospector, or locator any grazing right or rights to any surface or well water in use for livestock or to any timber rights either on or off the claim located to the detriment of the surface owner or lessee.

Sec. 11. The issuance of an award or the filing of a prospector's location on unsold land included within this Act. shall not prevent the sale of the land without minerals on which such mineral or mining claim may be located under the laws applicable to such land, but in case of such sale after an application has been filed with the Commissioner of the Land Office as herein provided the purchaser of such land shall not be entitled to any part of the proceeds of such minerals or mining location nor other compensation, nor shall such purchaser have any action for damages done to such land by or resulting from the proper working of or operation under such award or prospector's location.

Sec. 12. If any provision of this bill shall be held to be unconstitutional either as applied to any character of land or water described in Section 1 or in any other respect, such decision shall not be construed to invalidate the provision of this Act with regard to any other character of land or waters described in Section 1 or any other provision of this Act.

Sec. 13. All laws and parts of laws in conflict with this Act are hereby repealed.

Sec. 14. The fact that there is no adequate statute by which the mineral resources of this State can properly be developed on the public lands, and the waters of the State, creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days in each House should be suspended, and that this Act should be placed upon its third reading and final passage and take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 262, copy

of which is hereto attached, and find it correctly enrolled, and have this day at 2:30 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Bailey.

S. B. No. 262.

A BILL

To Be Entitled

An Act to provide for the establishment, maintenance and management of experimental apiaries under the direction of the Director of the Texas Agricultural Experiment Stations of the Agricultural and Mechanical College, for the purpose of experimenting with the culture of honey bees, and studying honey yield conditions, and other beekeeping problems, and making necessary appropriations therefor, designating expenditures, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The Director of the Texas Agricultural Experiment Stations of the Agricultural and Mechanical College of Texas shall have power to establish and maintain experimental apiaries for the purpose of experimenting with the culture of honey bees, and studying honey yield conditions and other beekeeping problems confronting the beekeepers and the beekeeping industry of this State; such experimental apiaries to be under the care, control, management and direction of the Director of the Experimental Stations, and to be maintained and operated at such places in Texas as said Director may direct.

Section 2. In the location of such experiment apiaries, said Director may take into consideration any donation of money or other property to be used in the operation and management of such apiaries and may accept any lease of lands upon which to locate such apiaries.

Section 3. The Director shall have authority, in the conduct and management of the same, to employ such assistance as may be needed, and to purchase, from time to time, such supplies, equipment and bees as may be necessary in the successful management thereof.

Section 4. There shall be appropriated out of any funds in the State Treasury not otherwise appropriated

the sum of six thousand dollars per annum, to be expended in the location and establishment, maintenance and operation of such experimental apiaries.

Section 5. The appropriations herein provided are to be construed as the maximum amounts to be appropriated to and for the purpose of the establishment and maintenance of such experimental apiaries, and no expenditure shall be made, nor obligations incurred, which, added to the expenditures, shall exceed the amounts herein appropriated for the said purpose, except under the provisions of Article 4342, Chapter 2, Title 65, of the Revised Civil Statutes of 1911.

Section 6. The receipts from the sale of any products or old equipment shall be deposited in the Experiment Station treasury, in a fund to be known as the "Experimental Apiaries Sales Fund," to be expended by the Director of the Texas Agricultural Experiment Stations for the purpose of said experimental apiaries, in the same manner and upon the same requisition and voucher system as are expended the appropriations hereinbefore provided.

Section 7. The fact that there is now no law providing for such experimental apiaries for solving the many problems confronting the beekeepers and the beekeeping industry in Texas, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, that this Act take effect from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 13, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 140, copy of which is hereto attached, and find it correctly enrolled, and have this day at 2:30 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Westbrook. S. B. No. 140.

A BILL
To Be Entitled

An Act to make appropriations for deficiencies in appropriations heretofore made for the support of the State Government for the fiscal years ending August 31st, 1913; August 31st, 1915; August 31st, 1916; and August 31st, 1918, to cover duly authorized deficiency claims registered in the office of the Comptroller of Public Accounts of the State of Texas, in accordance with law, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas.

Section 1. That the following sums, or so much thereof as may be necessary, be and the same are hereby appropriated out of any money in the State Treasury not otherwise appropriated, for deficiencies incurred in the support of the State Government for the fiscal years ending August 31st, 1913; August 31st, 1915; August 31st, 1916, and August 31st, 1918, contracted under the provisions of Title 15, Chapter 2, of the Revised Code of Criminal Procedure of 1911.

| | |
|--|-----------|
| For the year ending August 31, 1913— | |
| Sheriff's, Clerks' and Attorneys' fees in felony cases | \$ 275.00 |
| Sheriffs', Attorneys' and Justices of the Peace fees in examining trials | 175.00 |
| For the year ending August 31, 1915— | |
| Sheriffs', Clerks' and Attorneys' fees in felony cases | 45.00 |
| For the year ending August 31, 1916— | |
| Sheriffs', Clerks' and Attorneys' fees in felony cases | 230.00 |
| For the year ending August 31, 1918— | |
| Fees of County Judges, County Attorneys, Justices of the Peace, Sheriffs and Constables in examining trials..... | 12,172.15 |
| Fees, costs and per diem for Sheriffs, Clerks and Attorneys in felony cases | 7,787.32 |

| | |
|--|--------------|
| For the payment of transcript | 456.78 |
| For the payment of Judges' expenses..... | 122.13 |
| For the payment of Attorneys in examining trials | 50.00 |
| Total | \$ 21,313.38 |

Section 2. Whereas, there are no appropriations to pay the deficiency claims above enumerated, which are outstanding, just and legal demands against the State; therefore, an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this bill shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 142, copy of which is hereto attached and find it correctly enrolled, and have this day at 2:30 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Dudley. S. B. No. 142.

A BILL
To Be Entitled.

An Act validating the charters and amendments to charters of all cities of more than five thousand inhabitants in this State, which have adopted charters, or attempted to adopt or amend charters, since the enactment of Chapter 147, General Laws of the Regular Session of the Thirty-third Legislature, 1913, and validating all proceedings had by City Councils or City Commissions, or governing authority, in regard to the adoption of charters or amendments thereto; and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That each charter, and amendment to a charter, adopted by any city of more than five thousand inhabitants in this State, or where such city has amended or attempted

to amend or adopt such charter, since the enactment of Chapter 147, Acts of the Regular Session of the Thirty-third Legislature, 1913, and all proceedings had with reference thereto, are hereby validated, and are hereby declared to be in full force and effect, the same as if adopted in strict compliance with the requirements of said Chapter 147, Acts of the Thirty-third Legislature, and this Act shall take effect and be in force from and after its passage.

Section 2. The fact that the Act of the Thirty-third Legislature authorizing cities of more than five thousand inhabitants to adopt and amend their own charters is a recent one, and its provisions have not been construed by the courts, and that many cities which have undertaken in good faith to incorporate and to adopt and amend their charters may not have complied strictly with all of its provisions and requirements and that the acts, ordinances and bond issues of such cities may therefore be questioned, although made in good faith and authorized by a majority vote of the qualified voters of such cities, creates an emergency and an imperative public necessity that the rule requiring bills to be read on three several days be suspended, and said rule is suspended, and this Act shall take effect and be in force from and after the date of its passage; and it is so enacted.

Committee Room,
Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 198, copy of which is hereto attached and find it correctly enrolled, and have this day at 2:30 o'clock p. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Dudley. S. B. No. 198.

A BILL
To Be Entitled.

An Act providing that the School of Mines and Metallurgy established by Chapter 178, Acts of the General Laws of the Thirty-third Legislature of 1913, located in the city of El Paso, El Paso county, Texas, be and the same is made and constituted a branch of the

University of Texas for instruction in the arts of mining and metallurgy; authorizing the University of Texas through its Board of Regents to take over the management and control of said school of Mines and Metallurgy and its properties and requiring the University of Texas to assume and pay off the obligations of said school, and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. The School of Mines and Metallurgy, established by Chapter 178, Acts of the General Laws of the Thirty-third Legislature of 1913, located in the City of El Paso, El Paso county, Texas, be and the same is hereby made and constituted a branch of the University of Texas for instruction in the arts of mining and metallurgy as now provided for by law. The University of Texas through its board of Regents shall take over the management and control of said School of Mines and Metallurgy and its properties and shall assume and pay off all of its debts and obligations, if any.

Section 2. The fact that the School of Mines and Metallurgy located in the city of El Paso, Texas, is now being conducted by the Board of Regents as a separate school, independent of the University of Texas and it being to the interest of the people of Texas that said school should be a part of the University of Texas in fact, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be and the same is hereby suspended and that this Act take effect and be in force from and after its passage and it is so enacted.

Committee Room,
Austin, Texas, March 13, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Joint Resolution No. 12, copy of which is hereto attached and find it correctly enrolled, and have this day at 2:30 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Dean.

S. J. R. No. 12.

A RESOLUTION

Proposing an amendment to Section 4 of Article XI of the Constitution of the State of Texas, by increasing the total tax rate that may be levied by cities and towns having a population of five thousand or less from one-tenth of one per cent to not exceeding one and one-half per cent, and making an appropriation therefor.

Be it Resolved by the Legislature of the State of Texas:

Section 1. That Section 4, Article XI of the Constitution be so amended as hereafter to read as follows:

Section 4. Cities and towns having a population of five thousand or less may be chartered alone by general law. They may levy, assess and collect such taxes as may be authorized by law, but no tax for any purpose shall ever be lawful for any one year which shall exceed one and one-half per cent of the taxable property of such city; and all taxes shall be collectible only in current money, and all licenses and occupation taxes levied, and all fines, forfeitures and penalties accruing to said cities and towns shall be collectible only in current money.

Section 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of the State at an election to be held throughout the State on the first Tuesday after the first Monday in November, 1920, at which election all voters favoring said proposed amendment shall write or have printed on their ballots the words, "For the amendment of Section 4, Article XI of the Constitution increasing the total tax rate that may be levied by towns and cities having a population of five thousand or less from one-fourth of one per cent to not exceeding one and one-half per cent of any one year," and all voters opposed to said amendment shall write or have printed on their ballots the words, "Against the amendment of Section 4, Article XI of the Constitution increasing the total tax rate that may be levied by towns and cities having a population of five thousand or less from one-fourth of one per cent to not exceeding one and one-half per cent of any one year."

Section 3. The Governor of the State is hereby directed to issue the necessary proclamation for said elec-

tion, and to have the same published as required by the Constitution and existing laws of the State.

Section 4. The sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the Treasury of the State not otherwise appropriated to pay the expenses of such publication and election.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Joint Resolution No. 23, copy of which is hereto attached and find it correctly enrolled, and have this day at 2:30 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Hall.

S. J. R. No. 23.

A Joint Resolution

Proposing and submitting to the people of the State of Texas an amendment to Article 16 of the Constitution of the State of Texas, by adding thereto a new section and authorizing the city of Galveston and County of Galveston to issue bonds for prospective works, irrespective of constitutional limitations, in the aggregate of five million dollars for both city and county, as may be by the city or county deemed necessary for the raising of the grade, building seawalls and breakwaters and doing any and all kinds of protective works in said city and county, and to levy and collect taxes to retire said bonds, principal and interest, providing for a sinking fund, and creating an emergency.

Be it resolved by the Legislature of the State of Texas:

Section 1. The City of Galveston and the County of Galveston, and each of them, are hereby authorized to issue bonds in such amounts, not to exceed in the aggregate five million dollars, for both city and county, as may be by the city or county deemed necessary for the raising of the grade, building seawalls and breakwaters, and doing any and all other kinds of protective works in said city and county, without regard to and irrespective of any provisions of the Constitution of the State of

Texas limiting tax levies and governing bond issues, and for that purpose to levy and collect taxes to retire and pay same, principal and interest, but no debt shall ever be incurred for such purpose unless provision is made, at the time of creating same, for levying and collecting a sufficient tax to pay the interest thereon and to provide at least two per cent as a sinking fund, this provision being cumulative, and authorizing the issuance of such bonds in addition to those heretofore issued for such purposes and still outstanding, the amount of such additional bonds to be issued by the county hereunder not to exceed one million dollars, and the amount of such additional bonds to be issued by the city hereunder not to exceed four million dollars, but nothing herein shall apply to bonds heretofore or hereafter issued for purposes other than those herein defined; provided, however, that that portion of Galveston County not lying within the corporate limits of the City of Galveston shall not be taxed for the purpose of issuing bonds for any of the purposes herein provided within the corporate limits of the City of Galveston, unless such bond issue and tax levy be authorized by a majority of all the taxpaying voters residing in Galveston County outside of the corporate limits of the City of Galveston; provided that no such bonds issued by the City of Galveston shall be valid unless such bond issue and tax levy be authorized by a majority of all qualified taxpaying voters of the City of Galveston, voting at an election to be called for that purpose by the Mayor and Board of Commissioners of said City of Galveston.

Section 2. The Governor is hereby directed to issue the necessary proclamation for submitting an amendment to the Constitution to the qualified electors of the State of Texas on the first Tuesday in November, 1919, being the fourth day of November, 1919. Those favoring the amendment shall have written or printed on their ballots the words "For the amendment to Article Sixteen of the Constitution of the State of Texas, authorizing the issuance of bonds by the City and County of Galveston." And those opposed to the said amendment shall have written or printed on their ballots the

words "Against the amendment to Article Sixteen of the Constitution of the State of Texas, authorizing the issuance of bonds by the City and County of Galveston."

Section 3. The sum of five thousand (\$5000.00) dollars, or so much thereof as is necessary, out of the funds in the State Treasury not otherwise appropriated, is hereby appropriated to pay expenses for the carrying out of the provisions of this resolution.

Committee Reports.

Committee Room,

Austin, Texas, March 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 137, A bill to be entitled "An Act to amend Section 16, Chapter 190, of the General Laws of the Regular Session of the Thirty-fifth Legislature as amended by Section 2 of Chapter 71 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature and to be added to said Chapter 190, two new sections to be known as Section 16a and 16b; providing for the registration of motor vehicles and motorcycles; fixing the registration and license fee therefor providing for the distribution of such fees, fixing a license fee for commercial vehicles and interurban commercial vehicles, defining commercial and interurban commercial vehicles; fixing a license fee on commercial and interurban commercial motor vehicles based upon carrying capacity and miles traveled, providing for the distribution of the funds so received; amending Section 3 of Chapter 73 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, and etc., and declaring an emergency,"

Have had said bill under consideration, and I am instructed by the committee to report said bill favorably with the recommendation that it do pass, and be not printed in bill form, but printed in the Journal.

WOODS, CHAIRMAN.

By Davis.

H. B. No. 137.

of Van Zandt.

A BILL

To Be Entitled

An Act to amend Section 16, of Chap-

ter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature as amended by Section 2 of Chapter 71 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, and to be added to said Chapter 190 two new sections, to be known as Section 16a and 16b; providing for the registration of motor vehicles and motorcycles, fixing the registration and license fee therefor; providing for the distribution of such fees; fixing a license fee for commercial vehicles and interurban commercial vehicles; defining commercial and interurban commercial vehicles; fixing a license fee on commercial and interurban commercial motor vehicles based upon carrying capacity and miles traveled; providing for the distribution of the funds so received; amending Section 3 of Chapter 73 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature to provide that the tax collector of each county shall transmit on Monday of each week to the State Highway Department one-half of gross registration, chauffeur and transfer fees collected during the preceding week and deposit the remaining one-half in the county depository, and providing that all license fees collected on commercial and interurban commercial motor vehicles on a mileage basis shall be the property of the respective counties and be distributed in proportion to the mileage traveled in each county; fixing a penalty for violation of the Act, providing that the same shall not repeal any existing laws but shall be cumulative thereof; declaring that if any section or provision is declared unconstitutional same shall not affect other provisions of the Act, and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That Section 16 of Chapter 190, of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Section 2, of Chapter 71, of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature shall be amended so that said section shall hereafter read as follows:

Section 16. (a) In order to pro-

vide funds to effectuate the provisions of this Act, on and after the first day of July, 1919, and on and after January 1, 1920, and annually thereafter on and after the first day of January, every owner of a motor vehicle or motorcycle in this State shall file in the office of the county tax collector of the county in which he resides or in which the vehicle he owns is being operated, on a blank provided by the State Highway Department, an application for the registration of each motor vehicle or motorcycle owned or controlled by him.

(b) Each application shall be accompanied by the requisite fee for the number of unexpired quarters of the calendar year, which fee for the registration of a motorcycle for a full calendar year shall be \$3.00, and for the registration of a motor vehicle, except those hereinafter designated as "Commercial Motor Vehicles" and "Interurban Motor Vehicles," shall be 35 cents per horsepower as designated by the standard gauging power employed by the Association of Licensed Automobile Manufacturers, but no motor vehicle shall be registered for a full year for less sum than seven (\$7.50) dollars and fifty cents. The terms motorcycle shall include only those motor driven vehicles with less than four wheels and with the driver sitting astride.

(c) A commercial motor vehicle, under the provisions of this Act, is a motor vehicle with a net carrying capacity of more than one ton that is used in carrying freight, for its owner or for others, whether for hire or not, or a motor vehicle of net carrying capacity of more than one ton that is used in carrying passengers for hire.

(d) An interurban commercial motor vehicle under the provisions of this Act is a motor vehicle of net carrying capacity of more than one ton that is used regularly in carrying passengers or freight for hire between cities, towns and villages in this State.

(e) For each commercial motor vehicle the annual license fee shall be based upon the net carrying capacity as follows:

| Net Carrying Capacity in pounds | Annual License Fee. |
|------------------------------------|---------------------|
| 2001 to 4000..... | \$ 16.00 |
| 4001 to 6000..... | 32.00 |
| 6001 to 8000..... | 80.00 |
| 8001 to 10,000..... | 80.00 |

(f) For each interurban commercial motor vehicle the annual license fee shall be based upon the net carrying capacity in pounds as follows:

| | |
|---------------------|----------|
| 2001 to 4000..... | \$ 32.00 |
| 4001 to 6000..... | 64.00 |
| 6001 to 8000..... | 48.00 |
| 8001 to 10,000..... | 160.00 |

(g) For a net carrying capacity greater than 10,000 pounds, a license fee shall be charged for each commercial vehicle and interurban commercial vehicle at the additional rate of \$100 for each 1000 pounds increase in the net carrying capacity or fraction thereof; and no vehicle with a body wider than seven feet or of a total gross weight, when loaded with a capacity load of more than 5000 pounds per wheel or 500 pounds per inch width of tire, shall be licensed or be operated on the public highways, and no commercial vehicle or interurban commercial vehicle or trailer operated hereunder shall every carry more than 10 per cent in excess tonnage over and above its registered carrying capacity. Any person or persons driving or operating or permitting to be driven or operated any vehicle whose gross weight exceeds the maximum weights prescribed herein shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding two hundred (\$200) dollars. The maximum weights prescribed herein for commercial vehicles and interurban commercial vehicles shall apply also to trailers.

(h) Anything to the contrary, notwithstanding, upon application in writing to the State Highway Department, said department in its discretion may issue a special permit to the owner of any vehicle allowing heavier or wider loads than named herein, to be moved or carried over and on the public highways and bridges. They may also issue such special permit to increase the permissible width per inch of width of tire. Such permits shall be in writing and they may limit the time and use of operation over the said highways and bridges which may be

traveled and may contain such special conditions and provisions and require such undertaking or other security as the said department shall deem to be necessary to protect the public highways and bridges from injury, or provide indemnity from any injury resulting from such operation. All such special permits shall be carried in the vehicle to which they refer and upon demand shall be open to inspection of any peace officer of any officer or employee charged with care or protection of public highways.

(i) The owner, operator, driver or mover of any vehicle, object or contrivance over a public highway or bridge shall be, jointly and severally responsible for all damages which such highway or bridge may sustain as the result of driving, operating or moving such vehicle and the amount of such damages may be recovered in an action of law by the authorities in control of such highway or bridge.

(j) Applications for the registration of interurban commercial motor vehicles shall state whether the vehicle is for operation in one or more counties, naming them; and, if more than one, distribution of one-half of the license fee paid for the registration of the vehicle shall be made by the county tax collector to whom the fee is paid among the counties in which such motor vehicle is operated on a mileage basis.

Sec. 2. There shall be added to Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature a new section, to be known as Section 16a, as follows:

Section 16a. All commercial and interurban commercial motor vehicles registered and licensed under existing laws and this Act, relating to the State Highway Department, having a greater carrying capacity per wheel than five hundred pounds, as defined by said laws, shall, before said motor vehicles are allowed to operate over the highways and roads of this State, be further registered and licensed as follows:

The owner or owners of said motor vehicle or vehicles shall make application to the county tax collector of the county where said owner resides or has his principal office or place of business, accompanied by the registration certificate, or certified copy

thereof, showing said motor vehicle to be registered under existing laws as defined by Section 1 hereof, and which applications must show the carrying capacity in tons of said motor vehicle, for the further license to operate said motor vehicle, which application shall be sworn to and as far as practicable shall state the general route or routes and the estimated mileage thereof, in each county or counties, over which it is proposed to operate said motor vehicle and stating if a trailer may be attached to said motor vehicle and giving the carrying capacity of such trailers; but such mileage shall not include the streets of any incorporated town or city. (Said application shall also be accompanied by a bond executed by one or more good and solvent sureties or surety company authorized to do business in this State, payable to and to be approved by the county tax collector, conditioned that the owner of said motor vehicle will promptly pay, when due, the license fee in the amount and in the manner as is hereinafter provided for.) Upon receipt of said application and bond, when same is approved, the county tax collector shall issue a license in proper form prepared by the Highway Department to the owner of said motor vehicle to operate same over and along the route or routes stated in the application; and said license shall at all times be displayed in a prominent place on the motor vehicle so licensed.

(b) The owner of such commercial and interurban commercial motor vehicle registered hereunder shall keep in a separate book or books kept for that purpose, an accurate account of the number of miles traveled by said motor vehicle and trailer attached thereto, if any, and if said motor vehicle is operated in more than one county, an accurate account shall be kept of the miles traveled in each county. Said books shall at all times be open for the inspection of the county tax collector, or the duly authorized agent of said tax collector, of the counties where said motor vehicle is licensed to operate, and said tax collector, or the authorized agent of either, shall have the right at any and all times to make an inspection of said books.

(c) On January 1st, April 1st,

July 1st and October 1st of each year, after this Act takes effect, the owner or owners of such motor vehicles licensed as herein provided shall make a statement duly sworn to by himself, or if the owner is a corporation, then by an executive officer of said corporation, directed to the tax collector of the county where said owner has his principal office or place of business, which statement shall clearly show the number of miles traversed by said motor vehicle and trailer attached thereto, if any, and if said motor vehicle has operated in more than one county, said statement shall clearly show the number of miles traveled in each county. Said statement shall be accompanied by a sufficient sum of money in lawful money of the United States, as a reasonable license fee for the extra burden placed on said highways and roads by the operation over them of the character of motor vehicle licensed hereunder, as follows:

| Net Carrying Capacity in Pounds. | License Fee per Mile Traveled |
|----------------------------------|-------------------------------|
| 2001 to 3999..... | ½ cent |
| 4000 to 5999..... | 1 cent |
| 6000 to 7999..... | 2 cents |
| 8000 to 9999..... | 3 cents |
| 10000 to 11999..... | 4 cents |

Immediately upon receipt of the license fee provided for in this section the county tax collector receiving same shall turn that county's portion over to the county treasurer to be placed to the credit of the general county road and bridge fund; and any portion belonging to another county, said tax collector receiving same shall immediately send such portion to the treasurer of such county to be placed to the credit of the general county road and bridge fund of such county, the distribution of such fund to be in proportion to the number of miles traveled in each county.

Sec. 3. There shall be added to Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature a new section, to be known as Section 16b, as follows:

Section 16b. Any person or agent of any person, or any agent or officer of any firm or corporation who operates any commercial motor vehicle or interurban commercial motor vehicle in carrying passengers or freight for hire between any cities,

towns or villages of this State, when such vehicle has not been duly registered and licensed as required by the next preceding section of this Act, shall be deemed guilty of a misdemeanor and shall, on conviction, be fined in any sum not less than \$25 and not exceeding \$200; and each day such vehicle is so operated shall constitute a separate offense.

Sec. 4. That Section 3 of Chapter 73 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature shall be amended so that said section shall hereafter read as follows:

Section 3. It shall be the duty of the tax collector to transmit on Monday of each week to the State Highway Department at Austin one-half of the gross registration chauffeur or transfer fees collected during the preceding week. The remaining one-half shall be deposited by the tax collector in the county depository of the county, to the credit of a special highway fund, to be expended under the provisions of law relating thereto. Provided, that all license fees collected on commercial and interurban commercial motor vehicles on a mileage basis shall be the property of the respective counties and be distributed as herein provided and be paid to the county treasurers of such counties by the officer collecting the same.

Sec. 5. This Act shall not be construed to repeal any existing laws of this State relating to highways, except when in direct conflict herewith, and shall be cumulative of all such laws now in force.

Sec. 6. In event any section or provisions of this bill should for any reason be held unconstitutional by the courts of this State, the same shall not affect any other section or provision of the bill, and the Legislature does hereby declare that it would have enacted each and all of the provisions of this bill without reference to any other section or provision.

Sec. 7. The fact that there are no adequate laws licensing heavy freight carrying motor vehicles, and motor vehicles carrying passengers for hire, and the fact that such a law is urgently needed to protect the highways and roads of the State, creates an imperative public necessity requiring a suspension of the

constitutional rule that all bills be read on three several days, and the rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 14, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 405, A bill to be entitled "An Act to amend Article 206, Chapter 3, Title 10, Revised Civil Statutes of Texas, relating to the duties, qualifications, manner of selection, length of term and removal of superintendents of the Confederate Home, and making a son of an ex-Confederate soldier eligible to this position, and declaring an emergency,"

Have had the same under consideration and I am directed to report same back to the Senate with the recommendation that it do pass, and be printed in the Journal only.

WILLIFORD, Chairman.

By Smith, H. B. No. 405.
of Hopkins.

A BILL
To be entitled.

An Act to amend Article 206, Chapter 3, Title 10, Revised Civil Statutes of the State of Texas relating to the duties, qualifications, manner of selection, length of term and removal of Superintendents of the Confederate Home, and making a son of an ex-Confederate soldier eligible to this position, and creating an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 206, Chapter 3, Title 10, of the Revised Civil Statutes of the State of Texas be amended to read as follows:

Article 206. Superintendent's term of office, duties, etc.—The said board of trustees shall appoint a superintendent, who shall be an ex-Confederate soldier, or the son of an ex-Confederate soldier, whose duties of office shall be the supervision of the affairs of said home, keeping the accounts of the same, and its general management, under the direction of the board of trustees. He shall be under the control of and subject to removal (for cause duly spread upon the records of said home) by said board, and un-

less sooner removed by said board, for cause, shall hold his office for the term of two years, or until his successor shall be appointed and qualified.

In addition to his other duties he shall keep in a book prepared for that purpose the name and age of each inmate, date of admission to the home, the company and regiment or other command or capacity, in which the military service was performed, and the State from which he entered the service, and such other data concerning the history of the inmates as the board of trustees may prescribe.

Sec. 2. The fact of the nearness of the close of the session, and furthermore that it is almost impossible to secure an ex-Confederate veteran who is qualified to fill this position, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 14, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 53, A bill to be entitled "An Act providing a period of duration of ten years, after which suits for taxes, due to the State of Texas, or any county, city, municipality, school district, road, improvement or irrigation district of said State or any other subdivision of this State or any county thereof authorized by law to levy and collect taxes shall not be brought,"

Have had the same under consideration and I am directed to report same back to the Senate with the recommendation that it do pass, and be printed in Journal only.

WILLIFORD, Chairman.

By Peyton, H. B. No. 53.

A BILL
To be entitled.

An Act providing a period of duration of ten years, after which suits for taxes, due to the State of Texas, or any county, city, municipality, school district, road, improvement or irrigation district of said State or any other subdivision of this

State or any county thereof authorized by law to levy and to collect taxes, shall not be brought.

Be it enacted by the Legislature of the State of Texas:

Section 1. From and after January 1, 1920, no suit shall be brought in any court of this State for delinquent taxes due to the State or to any county, city, municipality, school district, road, improvement, or irrigation district, or any other political or other subdivision of the State or any county, authorized by law to levy taxes and assess them, more than ten years after such taxes have become delinquent, but nothing herein shall prevent suits in personam for taxes past due.

Sec. 2. This Act shall not be held or construed to prejudice or in any manner to effect any suit now filed or which shall hereafter be filed before January 1, 1921, but all such suits shall be disposed of according to the law in effect at the time of their filing, provided that this Act shall not apply to any taxes whatever that were due April 3, 1915, the date that House Bill No. 40, Chapter 147, passed by the Thirty-fourth Legislature, was approved, but that all such taxes shall be subject to collection, under said law.

Sec. 3. All laws or parts of law in conflict with this Act are hereby expressly repealed.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 360, A bill to be entitled "An Act to exempt from taxation all public securities issued after this Act takes effect,"

Has had said bill under consideration and I am directed to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal only.

DEAN, Chairman.

By McNealus. S. B. No. 360.

A BILL

To be entitled.

An Act to exempt from taxation all public securities issued after this Act takes effect.

Be it enacted by the Legislature of the State of Texas:

Section 1. That all bonds, scrip and other evidences of public debt issued after this Act takes effect by the State of Texas, or by any agency of the State, or by any town, school district or other subdivision or district of the State having any powers of taxation, shall be exempt from all forms of State or local taxation.

Sec. 2. The exemption provided for by Section 1 of this Act shall apply to evidences of debt issued after this Act takes effect to refund existing debts, but such exemption shall not apply to then existing evidences of debt unless and until they are refunded.

FORTY-FOURTH DAY.

Senate Chamber,

Austin, Texas, March 14, 1919.

The Senate met at 4:15 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

| | |
|--------------------|-------------|
| Alderdice. | Hertzberg. |
| Bell. | Hopkins. |
| Buchanan of Bell. | Johnston. |
| Buchanan of Scurry | McNealus. |
| Caldwell. | Page. |
| Carlock. | Parr. |
| Clark. | Rector. |
| Cousins. | Smith. |
| Dayton. | Strickland. |
| Dean. | Suiter. |
| Dorough. | Westbrook. |
| Faust. | Williford. |
| Floyd. | Witt. |
| Gibson. | Woods. |
| Hall. | |

Absent—Excused.

Bailey. Dudley.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Petitions and Memorials.

There were none today.

Standing Committee Reports.

See Appendix.